



**AGENDA, TROY CITY COUNCIL**  
**MONDAY, MARCH 21, 2016, 7:00 P.M.**  
**COUNCIL CHAMBERS, CITY HALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Excuse Mr. Kendall  
Excuse Mr. Phillips

excuses by motion/second/roll call vote

**SUMMARY OF MINUTES**

March 7, 2016 Meeting

motion/second/roll call vote

**COMMITTEE REPORTS**

Citizen comments on committee reports or agenda items – two minute limit

**RESOLUTIONS**

R-12-2016	Accept recommendations of the Tax Incentive Review Council, annual review of Enterprise Zones Agreements	EMERGENCY	1 <sup>st</sup> Reading
R-13-2016	Accept recommendations of the Tax Incentive Review Council, TIF	EMERGENCY	1 <sup>st</sup> Reading

**ORDINANCES**

O-8-2016	Rezone part of OL 436: Parcel D08-100722 from M-2, Light Industrial District, and R-4, Single-Family Residence District, to M-2, Light Industrial District.; Parcel D08-100730 from R-4, Single-Family Residence District, to M-2, Light Industrial District, owner Hobart Institute of Welding Technology	3 <sup>rd</sup> Reading
O-9-2016	Rezone IL 10577 (Huelskamp Farm) from County Zoning A-2, General Agriculture, & F-1, Flood Plain, to City zoning R-4, Single Family Residential District	3 <sup>rd</sup> Reading
O-10-2016	Rezone IL 10575 and IL 10576 from County Zoning of F-1, Flood Plain, to the City Zoning of B-1, Local Retail District. (Two parcels of City property adjacent to Treasure Island Park)	3 <sup>rd</sup> Reading
O-11-2016	Amending fence provisions and Zoning Code to clarify fences are accessory structure under the Zoning Code	3 <sup>rd</sup> Reading
O-16-2016	Authorize lease with the Community Improvement Corporation of Troy, Ohio regarding lease Of the Marina Building	1 <sup>st</sup> Reading EMERGENCY

**COMMUNICATIONS/ANNOUNCEMENTS**

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

**ADJOURN**

NOTE: Committee meetings may take place prior to or following Council meeting

**CITY OF TROY MISSION STATEMENT:**

*Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.*

## DISPOSITION OF ORDINANCES AND RESOLUTIONS

**Date of Meeting: March 21, 2016**

### **Troy City Council Meeting**

DESCRIPTION	RESOLUTION NO.	1ST READING	2ND READING	3RD READING	PUBLIC HEARING	SUSPENSION	ADOPTION
EZ annual approval	R-12-2016						
TIF annual approval	R-13-2016						
	<b>ORDINANCE NO.</b>						
Rezoning - Hobart Inst. of Welding Tech property	O-8-2016	2/16/2016	3/7/2016		3/7/2016		
Rezoning - Huelskamp Farm to City Zoning	O-9-2016	2/16/2016	3/7/2016		3/7/2016		
Rezoning - area at TI Park to City Zoning	O-10-2016	2/16/2016	3/7/2016		3/7/2016		
Ordinance amendments related to fence provisions	O-11-2016	2/16/2016	3/7/2016		3/7/2016		
Lease w/CIC re Marina Building	O-16-2016						

# MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 7, 2016, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Oda, Phillips, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Presiding Officer: Thomas M. Kendall President of Council Pro Tem

Others Present: Michael L. Beamish, Mayor  
Patrick E. J. Titterington, Director of Public Service and Safety  
Grant D. Kerber, Director of Law  
John E. Frigge, Auditor

INVOCATION: The meeting began with an invocation given by Mr. Schweser followed by the Pledge of Allegiance.

## PUBLIC HEARINGS:

1. At 7:04 p.m., Mr. Kendall declared open a public hearing on Ordinance No. O-8-2016, rezone of part of OL 436.  
Supporting the rezoning: Scott Muzulla, 400 Trade Square East, Troy, Ohio, representing the Hobart Institute of Welding Technology (applicant) commented that the rezoning is sought to extend the parking lot at the Institute, the school is now at 103% capacity, there are currently 209 parking spaces and the rezoning would permit the addition of an additional 116 spaces so that the welding school students can park on the campus and not on City streets.  
There being no further comments, at 7:05 p.m. Mr. Kendall declared this public hearing closed.
2. At 7:06 p.m., Mr. Kendall declared open a public hearing on Ordinance No. O-9-2016, rezoning of IL 10577 from County Zoning A-2, General Agriculture, & F-1, Flood Plain, to City zoning R-4, Single Family Residential District (Huelskamp Farm).  
Opposing the rezoning: Lester Conard, 1210 S. Clay Street, asked how changing the zoning takes the land out of the flood plain to build on. Mr. Titterington responded that the plan is to use this land, which is adjacent to the Paul G. Duke Park, to expand Duke Park, it will be park land, primary land to be used is not in the flood plain, that in the flood plain (adjacent to the river) will be parceled off and sold to the Miami County Park District and the District will sign non-development agreement and put the land purchased in a conservation easement.  
There being no further comments, at 7:09 p.m., Mr. Kendall declared this public hearing closed.
3. At 7:10 p.m., Mr. Kendall declared open a public hearing on Ordinance No. O-10-2016, rezoning of IL 10575 and IL 10576 from County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District. (Two parcels of City property adjacent to Treasure Island Park)  
Opposing the rezoning: Lester Conard, 1210 S. Clay Street, asked how the City could use this land as he understands it is contaminated. Mr. Titterington responded that there is a deed restriction that does not permit digging or building on the land and it will be kept in low maintenance green space.  
There being no further comments, at 7:11 p.m. Mr. Kendall declared this public hearing closed.
4. At 7:12 p.m., Mr. Kendall declared open a public hearing on Ordinance No. O-11-2016, amending fence provisions and Zoning Code to clarify fences are accessory structure under the Zoning Code.  
Opposing the rezoning: Lester Conard, 1210 S. Clay Street asked what an "accessory structure" is and if there will be on-going costs for a fence. Mr. Titterington responded that the City has and will continue to have a fence permit fee, but there will not be an on-going fee.  
There being no further comments, at 7:14 p.m. Mr. Kendall declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the February 16, 2016 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Phillips, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

## COMMITTEE REPORTS

Community & Economic Development Committee: Mr. Twiss, Chairman, reported that Committee recommends legislation be prepared accepting the final plat of Edgewater Subdivision Section 8 as presented to Council, including the dedication of right-of-way.  
Report signed by Kendall, Schweser and Twiss.

Finance Committee: Mr. Tremblay reported that Committee recommends legislation be prepared declaring some City vehicles and equipment as surplus and authorizing the sale of the items.  
Report signed by Schweser, Tremblay and Kendall.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported as follows:

1. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the McKaig Road Improvement Project, Phase III at a cost not to exceed \$1,500,000.

Discussion: In response to Mr. Schweser, Mr. Titterington confirmed that the McKaig Improvement Phase III does not include any work to realign the intersection of Ridge Avenue and McKaig Road other than a small amount of utility work to avoid digging the roadway up in the future should there be a realignment project.

2. Committee recommends that the Resolution of Necessity be prepared regarding Phase 9 of the Sidewalk Replacement Program.

Reports signed by Heath, Snee and Phillips.

Utilities Committee: Mr. Tremblay, Chairman, reported as follows:

1. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute a Request for Consent to Assignment form related to each of the agreements with Caldwell Tanks, Inc. so that Caldwell Tanks, Inc. may transfer the water tank maintenance contracts to Utility Service Company, Inc. for the Herrlinger Road, Barnhart Road and Stanfield Road Water Towers, with Utility Service Company, Inc. honoring all the terms and conditions of the Caldwell Tanks, Inc. agreements.
2. Committee recommends legislation be prepared accepting the dedication of two waterline easements and one sanitary sewer easement for the development of the three proposed lots at 1910 West Main Street (front of the Meijer Store), with Committee supporting emergency legislation so that construction on the new lots may proceed without delay.

Reports signed by Terwilliger, Twiss and Tremblay.

CITIZEN COMMENTS: NONE

#### RESOLUTION NO. R-9-2016

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE REQUEST FOR CONSENT TO ASSIGNMENT FORMS TO TRANSFER TWO WATER TANK MAINTENANCE AGREEMENTS FROM CALDWELL TANKS, INC. TO UTILITY SERVICE COMPANY, INC. FOR THE HERRLINGER WATER TOWER, THE STANFIELD ROAD WATER TOWER, AND THE BARNHART ROAD WATER TOWER

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Terwilliger, Snee, Schweser, Phillips, Oda, Kendall, Heath, Twiss and Tremblay.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Snee, Schweser, Phillips, Oda, Kendall, Heath, Twiss, Tremblay and Terwilliger.

No: None.

RESOLUTION ADOPTED

#### RESOLUTION NO. R-10-2016

RESOLUTION DECLARING THE NECESSITY OF PHASE 9 OF THE SIDEWALK REPLACEMENT PROGRAM IN THE CITY OF TROY, OHIO

This Resolution was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Schweser, Phillips, Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger and Snee.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Phillips, Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger, Snee and Schweser.

No: None.

RESOLUTION ADOPTED

#### RESOLUTION NO. R-11-2016

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE MCKAIG ROAD IMPROVEMENT PROJECT, PHASE III

This Resolution was given first title reading.

Mr. Schweser moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger, Snee, Schweser and Phillips.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Twiss.

Yes: Kendall, Heath, Twiss, Tremblay, Terwilliger, Snee, Schweser, Phillips and Oda.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2016

ORDINANCE CHANGING THE ZONING OF PART OF OUTLOT 436 (PARCEL DO8-100722 AND PARCEL DO8-100730) IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, AND R-4, SINGLE FAMILY RESIDENCE DISTRICT, TO THE ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given second title reading.

ORDINANCE NO. O-9-2016

ORDINANCE CHANGING THE ZONING OF INLOT 10577 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF A-2 AND F-1 TO THE CITY ZONING OF R-4, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given second title reading.

ORDINANCE NO. O-10-2016

ORDINANCE CHANGING THE ZONING OF INLOTS 10575 AND 10576 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF F-1, FLOOD PLAIN, TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given second title reading.

ORDINANCE NO. O-11-2016

AN ORDINANCE AMENDING SECTION 521 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND SECTIONS 1133 AND 1151 OF THE ZONING CODE OF THE CITY OF TROY, OHIO RELATED TO FENCES

This Ordinance was given first title reading on February 16, 2016.

Given second title reading.

ORDINANCE NO. O-12-2016

ORDINANCE ACCEPTING THE FINAL PLAT OF EDGEWATER SUBDIVISION, SECTION EIGHT IN THE CITY OF TROY, OHIO AND DEDICATING A RIGHT-OF-WAY

This Ordinance was given first title reading.

Mr. Twiss moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Heath, Twiss, Tremblay, Terwilliger, Snee, Schweser, Phillips, Oda and Kendall.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Twiss, Tremblay, Terwilliger, Snee, Schweser, Phillips, Oda, Kendall and Heath.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-13-2016  
AN ORDINANCE AUTHORIZING THE REDEMPTION OF THE CITY'S OUTSTANDING VARIOUS PURPOSE  
REFUNDING BONDS, SERIES 2005, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Tremblay, Terwilliger, Snee, Schweser, Phillips, Oda, Kendall, Heath and Twiss.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Terwilliger, Snee, Schweser, Phillips, Oda, Kendall, Heath, Twiss and Tremblay.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-14-2016  
ORDINANCE DECLARING MUNICIPALLY OWNED PERSONAL PROPERTY AS NO LONGER NEEDED FOR  
MUNICIPAL PURPOSES AND AUTHORIZING THE SALE OF SUCH EXCESS PROEPRTY

This Ordinance was given first title reading.

Mr. Schweser moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Snee, Schweser, Phillips, Oda, Kendall, Heath, Twiss, Tremblay and Terwilliger.

No: None.

Mr. Heath moved for adoption. Motion seconded by Mr. Schweser

Yes: Schweser, Phillips, Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger and Snee.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-15-2016  
ORDINANCE ACCEPTING THE DEDICATION OF WATERLINE EASEMENTS AND A SANITARY SEWER  
EASEMENT WITHIN INLOT 8740, LOCATED AT THE INTERSECTION OF WEST MAIN STREET AND  
STANFIELD ROAD AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Phillips, Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger, Snee and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.

Yes: Oda, Kendall, Heath, Twiss, Tremblay, Terwilliger, Snee, Schweser and Phillips.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR BEAMISH:

Mayor Beamish noted the recent death of Charles Barrett, a long-time educator and coach in Troy. The Mayor also noted that the Troy High School Girls' Bowling Team won the State Championship and the Girls' Gymnastic Team placed 6<sup>th</sup> in a state competition.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented that the bids for the replacement screw pumps at the Wastewater Treatment Plant were under the authorization and that the Dye Mill Road Facility is opening on March 14.

COUNCIL COMMENTS: Mr. Heath noted that Zoning Manager Tim Davis was recognized by the Troy Chamber of Commerce as the Outstanding Young Man of the Year. Mr. Phillips noted that Melissa Nichols was recognized as the Outstanding Young Woman of the Year.

There being no further business, the meeting adjourned at 7:38 p.m.

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Community & Economic Development Committee  
SUBJECT: REZONING PART OF OL 436 TO M-2, LIGHT INDUSTRIAL DISTRICT (O-8-2016)

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-8-2016, the rezoning of part of OL 436 from M-2, Light Industrial District, and R-4, Single-Family Residential District, to M-2, Light Industrial District. There are two parcels located on Trade Square East, south of Hook Elementary School and north of the Hobart Institute of Welding Technology. This rezoning has been recommended by the Troy Planning Commission. There were no comments made opposing the rezoning at the public hearing held March 7.

RECOMMENDATION: *(to be read at Council meeting)*

We support the findings of the Planning Commission regarding this rezoning and recommend that Ordinance No. O-8-2016 be adopted.

Respectfully submitted,

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Thomas M. Kendall

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John W. Schweser

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William C. Twiss, Chairman  
Community & Economic Development Committee

DETAILED REPORT:

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-8-2016, the rezoning of part of OL 436: Parcel D08-100722 from M-2, Light Industrial District, and R-4, Single-Family Residential District, to M-2, Light Industrial District; Parcel D08-100730 from R-4, Single-Family Residential District, to M-2, Light Industrial District. This meeting was also attended by Mayor Beamish, Council Members Oda and Terwilliger, the Director of Public Service and Safety, a representative of the applicant, members of the City staff, and citizens.

The parcels are located on Trade Square East, south of Hook Elementary School and north of the Hobart Institute of Welding Technology. The owner of the property is the Hobart Institute of Welding Technology. The owner indicated that the Institute planned to expand their parking lot to provide off-street parking for all the students at the Institute, which is being expanded to meet the demand for classes. The Troy Planning Commission recommended the rezoning be approved.

A public hearing was held at the March 7 meeting of Council, with no one speaking opposing the rezoning. The only person who spoke was on behalf of the owner.

We support the findings of the Planning Commission that Parcel D08-100722 be rezoned from M-2, Light Industrial District, and R-4, Single-Family Residential District, to M-2, Light Industrial District, and that Parcel D08-100730 be rezoned from R-4, Single-Family Residential District, to M-2, Light Industrial District, based on the following findings.

- The area has similar "buffer" zoning to the south of the proposed zoning classification; and
- The parcel meets the bulk requirements for an M-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

RECOMMENDATION:

It is the recommendation of this Committee that Ordinance No. O-8-2016 be adopted to provide for the rezoning of part of OL 436, Parcel D08-100722 and Parcel D08-100730 to M-2, Light Industrial District.



COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Community & Economic Development Committee  
DATE: March 8, 2016  
SUBJECT: REZONING INLOT 10577 (HUELSKAMP FARM) FROM COUNTY ZONING OF A-2 AND F-1 TO CITY OF TROY ZONING R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT (O-9-2016)

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-9-2016, rezoning of the land known as the Huelskamp Farm from the dual Miami County zoning of A-2 and F-1 to the City of Troy zoning of R-4, Single-Family Residential District. This land will be used to extend the adjacent Paul G. Duke Park. The area that has been under the County's flood plain zoning will be sold to the Miami County Park District and the District will sign a non-development agreement and put the land purchased in a conservation easement.

**RECOMMENDATION:** *(to be read at Council meeting)*

We support the findings of the Planning Commission and recommend that Ordinance No. O-9-2016 be adopted to provide for the rezoning of Inlot 10577 from the dual County zoning A-2, General Agriculture, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential District.

Respectfully submitted,

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Thomas M. Kendall

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John W. Schweser

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William C. Twiss, Chairman  
Community & Economic Development Committee

**DETAILED REPORT:**

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-9-2016, rezoning of the land known as the Huelskamp Farm from the dual County Zoning of A-2, General Agriculture Zoning District, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential Zoning. The meeting was also attended by Mayor Beamish, Council Members Oda and Terwilliger, the Director of Public Service and Safety, members of the City staff, and citizens.

The land consists of 117.278 acres located at 2290 Troy-Sidney Road, and is the property of the City of Troy. The proposed zoning of R-4 is consistent with the zoning of the Paul G. Duke Park, and this land is adjacent to that park. A public hearing was held at the March 7 meeting of Council. At that hearing and the Committee Meeting, a citizen commented regarding removing the flood plain zoning of the County. However, there are no issues related to "flooding" as the intended use of this land is to extend the existing park use, the land that has been under the County's flood plain zoning (located along the river) will be sold to the Miami County Park District and the District will sign a non-development agreement and put the land purchased in a conservation easement.

We support the findings of the Planning Commission that Inlot 10577 be rezoned from the dual County zoning of A-2, General Agriculture Zoning District, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential District, based on the findings of staff that:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with the requested zoning district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

**RECOMMENDATION:**

It is the recommendation of this Committee that Ordinance No. O-9-2016 be adopted to provide for the rezoning of Inlot 10577 from the dual County zoning A-2, General Agriculture, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential District.



COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Community & Economic Development Committee  
DATE: March 8, 2016  
SUBJECT: REZONING INLOTS 10575 AND 10576 FROM F-1, MIAMI COUNTY FLOOD PLAIN, TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT (O-10-2016)

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-10-2016, the rezoning of two small parcels adjacent to Treasure Island Park, from the County F-1, Flood Plain zoning, to the City zoning of B-1, Local Retail District. This land will be part of Treasure Island Park, and kept in green space with minimal access and minimal maintenance required. The proposed zoning is consistent with the zoning of Treasure Island Park.

**RECOMMENDATION:** *(to be read at Council meeting)*

We support the findings of the Planning Commission and recommend that Ordinance No. O-10-2016 be adopted to provide for the rezoning of Inlots 10575 and 10576 from the County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District.

Respectfully submitted,

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Thomas M. Kendall

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John W. Schweser

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William C. Twiss, Chairman  
Community & Economic Development Committee

**DETAILED REPORT:**

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-10-2016, rezoning of two small parcels adjacent to Treasure Island Park, from the County F-1, Flood Plain zoning, to the City zoning of B-1, Local Retail District. The meeting was also attended by Mayor Beamish, Council Members Oda and Terwilliger, the Director of Public Service and Safety, members of the City staff, and citizens.

The Inlots are two parcels owned by the City, which are located off of North Elm Street and north of Treasure Island Park. A public hearing was held at the March 7 meeting of Council. At that hearing and the Committee Meeting, there were comments regarding removing the flood plain zoning to build and that Ohio EPA determined that the area is contaminated. It was explained that there will be no building on the small parcels, the B-1 zoning is recommended as it is consistent with the zoning of Treasure Island Park, the City will not be digging down into the ground, it will be kept in green space that has minimal access and required minimal maintenance, and the City will continue to comply with any EPA requirements regarding this land.

We support the findings of the Planning Commission that Inlots 10575 and 10576 be rezoned from the County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District, based on the findings of staff that:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with the requested zoning district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

**RECOMMENDATION:**

It is the recommendation of this Committee that Ordinance No. O-10-2016 be adopted to provide for the rezoning of Inlot 10575 and 10576 from the County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District.

cc: Council, Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council    DATE: March 8, 2016

FROM: Community & Economic Development Committee

SUBJECT: AMENDING FENCE PROVISIONS AND ZONING CODE, CLARIFY THAT FENCES ARE  
ACCESSORY STRUCTURES (O-11-2016)

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on March 8 to provide a recommendation to Council regarding O-11-2016, an amendment of the fence provisions and Zoning Code to clarify that fences are accessory structures under the Zoning Code, which is how City staff has been processing fence permits. The amendment to the Zoning Code has been recommended by the Troy Planning Commission.

**RECOMMENDATION:** *(to be read at Council meeting)*

This Committee supports the recommendation of the Troy Planning Commission and recommends that Ordinance No. O-11-2016 be adopted to clarify the fence provisions and Zoning Code that fences are treated as an accessory structure.

Respectfully submitted,

Thomas M. Kendall

John W. Schweser

William C. Twiss, Chairman  
Community & Economic Development Committee

### DETAILED REPORT:

This Committee met on March 8, 2016 to provide a recommendation to Council regarding O-11-2016, an amendment of the fence provisions and Zoning Code to clarify that fences are accessory structures under the Zoning Code. The meeting was also attended by Mayor Beamish, Council Members Oda and Terwilliger, the Director of Public Service and Safety, members of the City staff, and citizens.

The practice and intent of the City regarding fences and in dealing with applicable codes is that fences are treated as accessory structures. However, as the Director of Law indicated that the language could be clearer in that regard, the Troy Planning Commission has recommended amendments to:

- Section 1151.04 (c) (1) to permit fences to be erected on the rear property line and consistent with the requirements set forth in Section 521.07 of the Codified Ordinances.
- Section 1133.02 (81) to amend the definition of “fence” to include the word “accessory”.
- Section 1133.02 (157) to clarify that the principal structure has set the setback line on a property.

A public hearing was held at the March 7 meeting of Council. At the public hearing it was stated that the intent of the legislation is not to have an on-going fee for each fence. At the Committee meeting, Steve Kalmar discussed the history of fence regulations in Troy, suggested it would be better to have less regulations, and that the proposed legislation is mainly to prohibit the fencing of a vacant lot. Another citizen spoke opposing the legislation. Staff commented that the proposed legislation is to clarify that wording and that the City will continue to treat a fence as an accessory structure.

## RECOMMENDATION:

This Committee supports the recommendation of the Troy Planning Commission and recommends that Ordinance No. O-11-2016 be adopted to clarify the fence provisions and Zoning Code that fences are treated as an accessory structure.

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Finance Committee  
SUBJECT: LEASE WITH COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO RE MARINA BUILDING LEASE

DATE: March 16, 2016

SUMMARY: *(to be read at Council meeting)*

This Committee met on March 16 to review the request to authorize a lease with the Community Improvement Corporation of Troy, Ohio (CIC) regarding being the Marina Building. Troy's CIC was established by Council in 1973. The Ohio Constitution provides for entities such as a CIC to assist in economic development efforts including the leasing of municipal properties. A CIC is able to lease properties, with lease agreements that meet all City requirements, but do so much more quickly and efficiently. The City would be a party to any final lease with selected tenants.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into a Marina Building Lease with the Community Improvement Corporation of Troy, Ohio. To ensure that the Marina Building is leased with a final tenant(s) as soon as possible, we support emergency legislation.

Respectfully submitted,

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John W. Schweser

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Douglas W. Tremblay

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Thomas M. Kendall, Chairman  
Finance Committee

DETAILED REPORT

This Committee met on March 16, 2016 to review the request to authorize a lease with the Community Improvement Corporation of Troy, Ohio (CIC) regarding being the Marina Building. This meeting was also attended by Mayor Beamish, the Director of Law, the Director of Public Service and Safety, and members of the City staff.

The renovation of the Marina Building in Treasure Island Park is nearing completion. The next step would be selecting a tenant(s) to whom to lease the building.

The Community Improvement Corporation of Troy, Ohio was established by Council in 1973 under the provisions of the Ohio Constitution, which also provides for entities such as a CIC to be a party to various economic development efforts of the political subdivision, including the lease of municipal properties. It is proposed that the City would lease the Marina Building to the CIC for a five year period, with two additional mutually agreeable five year extensions. With the approval of the City Administration, the CIC can then sublease the building to a tenant or tenants. Revenues from such sublease would come to the City, unless the City agreed to provide the CIC with a small percentage that would be held in a CIC account. Any sublease would have to meet all City and statutory requirements. The CIC would bear no on-going costs for the building and would be a party to any tenant agreement. The City would also be a party to any agreement. The CIC, as an agent and arm of the City, will provide protection and work in the best interest of the City through this lease and be able to offer confidentiality for potential vendors, more flexible bidding terms, and more freedom in negotiating a final contract to get the best possible tenant(s) for the Marina Building.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into a Marina Building Lease with the Community Improvement Corporation of Troy, Ohio. To ensure that the Marina Building is leased with a final tenant(s) as soon as possible, we support emergency legislation.

Cc: Council, Mayor, Director of Law, City Auditor  
Director of Public Service and Safety, Clerk  
media

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Finance Committee  
SUBJECT: RECOMMENDATIONS – TAX INCENTIVE REVIEW COUNCIL

DATE: March 16, 2016

**SUMMARY:** *(to be read at Council meeting)*

This Committee met on March 16 to review the recommendations of the Tax Incentive Review Council (TIRC) regarding the compliance status of the Troy Towne Park TIF and the eight Enterprise Zone Agreements that were in place as of December 31, 2014. Such review and report is required on an annual basis. The TIRC has recommended that the TIF Agreement be continued, that the requests for the withdrawal of two agreements be approved, and that the remaining six Enterprise Zone Agreements be continued as all Agreements are in full compliance, and actually exceed the employment commitments.

**RECOMMENDATION:** *(to be read at Council meeting)*

This Committee recommends that legislation be prepared accepting the recommendation of the TIRC:

- That all six Enterprise Zone Agreements (28, 29, 33, 34, 35 and 36) be continued as they are in full compliance.
- That the requests for the withdrawal of Enterprise Zone agreements 25 and 31 be approved.
- That the Troy Towne Park TIF be continued.

In that the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF, we support emergency legislation.

Respectfully submitted,

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John W. Schweser

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Douglas W. Tremblay

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Thomas M. Kendall, Chairman  
Finance Committee

**DETAILED REPORT**

This Committee met on March 16, 2016 to review the recommendations of the Tax Incentive Review Council (TIRC) regarding the compliance status of the Troy Towne Park TIF and the eight Enterprise Zone Agreements that were in place as of December 31, 2015. This meeting was also attended by Mayor Beamish, the Director of Law, the Director of Public Service and Safety, and members of the City staff.

On an annual basis, the TIRC is required to meet, review the Agreements, and provide a recommendation to Council. As set forth in the ORC, the TIRC shall “after taking into consideration any fluctuations in the business cycle unique to the owner’s business, and, on the basis of such determinations, submit to the legislative authority written recommendations for continuation, modification, or cancellation of the agreement”. The recommendations of the TIRC are attached, and summarized below:

- That the Troy Towne Park TIF be continued.
- Agreements #25 and #31 are in compliance, but are nearing their expiration dates. The related tax benefits have been exhausted and the companies have requested withdrawal from the remainder of their effective time. The TIRC recommended acceptance of the following two withdrawal requests:
  - EZ # 25            F & P America Mfg., Inc., 2004 Agreement
  - EZ # 31            Clopay Building Products Company, Inc., 2006 Agreement
- The remaining six Enterprise Zone Agreements were found to be in full compliance and recommended for continuance. All agreements actually exceed the employment commitments. These Agreements are:
  - EZ #28            American Honda Motor Co., Inc., 2005 Agreement
  - EZ #29            Ishmael Precision Tool Corp., 2005 Agreement
  - EZ #33            ConAgra Foods Packaged Foods, LLC, 2010 Agreement
  - EZ #34            ConAgra Foods Packaged Foods, LLC, 2012 Agreement
  - EZ # 35            Clopay Building Products Company, Inc., 2015 Agreement
  - EZ # 36            Arc Abrasives, Inc., 2015 Agreement

COMMITTEE REPORT  
PAGE TWO

All Agreements continue to be in full compliance and exceed employment commitments.

The City is required to file annual status reports regarding the status of the Enterprise Zone Agreements and the TIF with the Ohio Development Services Agency by the end of March.

RECOMMENDATION:

This Committee recommends that legislation be prepared accepting the recommendation of the TIRC:

- That all six Enterprise Zone Agreements (28, 29, 33, 34, 35 and 36) be continued as they are in full compliance.
- That the requests for the withdrawal of Enterprise Zone agreements 25 and 31 be approved.
- That the Troy Towne Park TIF be continued.

In that the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF, we support emergency legislation.

Encl.

cc: Mayor  
Council  
Mr. Kerber,  
Mr. Frigge  
Mr. Titterington  
Clerk  
press  
file

**RESOLUTION No.** R-12-2016**RESOLUTION ACCEPTING THE RECOMMENDATIONS  
OF THE TAX INCENTIVE REVIEW COUNCIL AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code Section 5709.61 through 5709.69 have authorized counties, with the consent and agreement of affected municipalities therein, to designate an Enterprise Zone and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county, and

**WHEREAS**, on August 19, 1994, the Director of the Ohio Department of Development certified the petition of Miami County and the City of Troy as Enterprise Zone No. 279C and certified an amendment to the Enterprise Zone on December 20, 1996; and

**WHEREAS**, in accordance with ORC Section 5709.85 the duly appointed Tax Incentive Review Council met on March 10, 2016; and

**WHEREAS**, the Tax Incentive Review Council submits for City Council consideration their review of each of the Enterprise Zone Agreements,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, as follows:

**SECTION I:** That the Council of the City of Troy, Ohio, hereby accepts the recommendation of the Tax Incentive Review Council dated March 10, 2016, attached hereto as Exhibit A, that certain Enterprise Zone Agreements be continued, and that the requests to withdraw Enterprise Zone Agreements #25 and #31 be approved as both agreements are nearing their completion dates.

**SECTION II:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that the City must file an annual report of the status of the Enterprise Zone Agreements with the Ohio Development Services Agency by the end of March, **NOW WHEREFORE** this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

## Exhibit A

**Tax Incentive Review Council  
Enterprise Zone Agreements  
Summary and Review Recommendations  
March 10, 2016**

**American Honda Motor Co., Inc. – EZA # 28 (2005 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**Arc Abrasives, Inc. – EZA # 36 (2015 agreement)**

This new project is in its early investment/construction phases. The TIRC recommended continuance of the agreement.

**Clopay Building Products, Inc. – EZA # 31 (2006 agreement)**

In compliance with all pledges. The company also requested withdrawal from the remainder of the effective time of the agreement due to its impending expiration and the current lack of additional benefit to the company. The TIRC recommended acceptance of the request and termination of the agreement.

**Clopay Building Products, Inc. – EZA # 35 (2015 agreement)**

This new project is in its early investment/construction phases. The TIRC recommended continuance of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 33 (2010 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 34 (2012 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**F & P America Mfg., Inc – EZA # 25 (2004 agreement)**

In compliance with all pledges. The company also requested withdrawal from the remainder of the effective time of the agreement due to its impending expiration and the current lack of additional benefit to the company. The TIRC recommended acceptance of the request and termination of the agreement.

**Ishmael Precision Tool Corporation – EZA # 29 (2005 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

Respectfully Submitted

City of Troy Tax Incentive Review Council



**RESOLUTION No. R-13-2016**

**RESOLUTION ACCEPTING THE RECOMMENDATION OF  
THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY  
TOWNE PARK TIF AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Troy by Ordinance No. O-46-03 created the Troy Towne Park Tax Increment Financing (TIF) program in accordance with Ohio Revised Code Section 5709.40 *et seq.*, and

**WHEREAS**, in accordance with ORC Section 5709.85 the duly appointed Tax Incentive Review Council met for its annual review on March 10, 2016; and

**WHEREAS**, the Tax Incentive Review Council recommended continuation of the Troy Towne Park TIF.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, as follows:

**SECTION I:** That the Council of the City of Troy, Ohio, hereby accepts the recommendation of the Tax Incentive Review Council dated March 10, 2016, for the continuation of the Troy Towne Park TIF.

**SECTION II:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that the City must file an annual report of the status of the Troy Towne Park TIF with the Ohio Development Services Agency by the end of March, NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

## ORDINANCE No. 0-8-2016

Dayton Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF PART OF  
OUTLOT 436 (PARCEL D08-100722 AND PARCEL D08-  
100730) IN THE CITY OF TROY, OHIO FROM M-2, LIGHT  
INDUSTRIAL DISTRICT, AND R-4, SINGLE FAMILY  
RESIDENCE DISTRICT, TO THE ZONING OF M-2, LIGHT  
INDUSTRIAL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone part of Outlot 436 (2.92 acres more or less), Parcels D08-100722 and D08-100730 in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the zoning of part of Outlot 436, Parcel D08-100722, in the City of Troy, Ohio, and as shown on the map attached hereto as Exhibit A attached hereto, be changed from the zoning of M-2, Light Industrial District, and R-4, Single-Family Residence District, to the zoning of M-2, Light Industrial District.

**SECTION II:** That the zoning of part of Outlot 436, Parcel D08-100730 in the City of Troy, Ohio, and as shown on the map attached hereto as Exhibit B, be changed from the zoning of R-4, Single-Family Residence District, to the zoning of M-2, Light Industrial District.

**SECTION III:** That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor



EXHIBIT B







City of Troy

MEMORANDUM

TO: Mrs. Baker, President, Troy City Council  
FROM: Sue Knight, for the Troy Planning Commission  
DATE: January 19, 2016

**SUBJECT: REPORT OF THE PLANNING COMMISSION ON A REZONING APPLICATION OF PARCELS D08-100722 AND D08-100730; LOCATED ON TRADE SQUARE EAST, FROM THE ZONING OF R-4, SINGLE FAMILY RESIDENTIAL ZONING TO M-2, LIGHT INDUSTRIAL DISTRICT,**

On January 13, 2016 the Troy Planning Commission considered the rezoning of Parcels D08-100722 and D08-100730 to the zoning of M-2, Light Industrial District. Parcel # D08-100722 currently has a dual zoning of M-2, Light Industrial District, and R-4, Single-Family Residential District. Parcel #D08-100730 is currently zoned R-4, Single-Family Residential District. The parcels are located on Trade Square East, south of Hook Elementary School and north of the Hobart Institute of Welding Technology. The owner of the property is the Hobart Institute of Welding Technology. The applicant is Ferguson Construction Company.

The Commission had received a report of City staff, which was reviewed as part of the meeting discussion. In that report, it is noted that the applicant's reasons for the proposed rezoning are:

- To meet the large demand for professional career skill training by building a new tech center.
- The current parking area would be over capacity with the addition of the proposed tech center. The current parking lot, which has been in existence for more than 20 years, is in two different zoning districts as shown on the map provided. This rezoning would eliminate this non-conforming use.
- Both parcels have been owned by Hobart since the 1950's and the Hobart Welding Institute purchased them in 2009. It is their wish to have all adjacent parcels zoned for the uses currently on site, which is M-2.
- To simplify the zoning of these parcels by ensuring that parcel #D08-107222 is no longer a dual zone lot.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote the Troy Planning Commission recommends to Troy City Council that parcel # D08-100722 be rezoned from the dual zoning of M-2 Light Industrial District and R-4 Single Family Residential District, to M-2, Light Industrial District and that parcel #D08-100730 be rezoned from R-4 Single family Residential District to M-2, Light Industrial District as requested and as supported by the findings of staff that:

- The area has similar "buffer" zoning to the south of the proposed zoning classification; and
- The parcel meets the bulk requirements for an M-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the March 7 meeting of Council.

The following information will be attached as part of this report.

- Information provided by City staff, which included the report of staff and a listing of permitted uses for both the M-2 and OC-1 Districts.
- Copy of the draft minutes of the January 13 meeting of the Planning Commission.

Encl.

## FROM DRAFT MINUTES OF PLANNING COMMISSION MEETING OF 1-13-16

REZONING APPLICATION FOR TWO PARCELS LOCATED ON TRADE SQUARE EAST, SOUTH OF HOOK ELEMENTARY SCHOOL AND NORTH OF THE HOBART INSTITUTE OF WELDING TECHNOLOGY. APPLICATION IS TO REZONE FROM R-4, SINGLE-FAMILY RESIDENTIAL ZONING, TO M-2, LIGHT-INDUSTRIAL DISTRICT; OWNER: HOBART INSTITUTE OF WELDING TECHNOLOGY; APPLICANT: FERGUSON CONSTRUCTION CO. (JOSEPH MCGOVERN). Staff provided a report that: the application covers Parcel s D08-100722 and D08-10073; parcel # D08-100722 is dual zoned as M-2 Light Industrial and R-4 Single Family Residential and parcel #D08-100730 is zoned R-4 Single family Residential; the request is to rezone both parcels to M-2 Light Industrial; the parcels are adjacent to Trade Square East Rd and Surrey Rd. in the Westbrook subdivision; surrounding zoning districts include R-6 Two-Family Residential to the west, OR-1 Office residential to the south west, R-4 Single-Family Residential to the north and M-2 Light Industrial to the south; This area of the City is dominated by residential properties mixed with some Office Residential and Industrial Properties; the M-2 district extends to the south of these parcels as seen in the aerals provided and the adjacent R-6 zoning and OR-1 zoning districts allow for a sufficient buffer to the R-4 district; the Zoning Code describes the M-2 Light Industrial District as being "designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities"; it is staff's opinion that adjoining properties will not have any adverse effect from the proposed rezoning; the proposed M-2 district permits the greatest flexibility to the future use of the property. Protective buffers, mounds and trees, are already in place for the protection of the surrounding residential properties; the Comprehensive Plan's Future Land Use shows the surrounding area to be predominately residential with light industrial districts mainly to the east; the Comprehensive Plan also depicts the goal of the reuse of vacant or underutilized commercial and industrial structures in the core of the city; and applicant's reasons for the proposed rezoning are:

- To meet the large demand for professional career skill training by building a new tech center.
- The current parking area would be over capacity with the addition of the proposed tech center. The current parking lot, which has been in existence for more than 20 years, is in two different zoning districts as shown on the map provided. This rezoning would eliminate this non-conforming use.
- Both parcels have been owned by Hobart since the 1950's and the Hobart Welding Institute purchased them in 2009. It is their wish to have all adjacent parcels zoned for the uses currently on site, which is M-2.
- To simplify the zoning of these parcels by ensuring that parcel #D08-107222 is no longer a dual zone lot.

Staff further reported that regarding Section 1139.07, which outlines the criteria on which to base decisions:

*(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) "To separate incompatible land uses and to cluster compatible and mutually supportive land uses".
- 1131.02(r) "To direct particular land uses to the parcels of land best suited for them..."

The rezoning is consistent with the above listed intentions of the Zoning Code.

*(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*

The application was not submitted based upon any changing conditions in the area.

*(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*

The use is compatible with the existing parcels of land located around the proposed rezoning area.

*(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*

All utilities are provided.

*(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*

There is no vacant land in the vicinity of this proposed rezoning with M-2 zoning.

*(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*

Not applicable in this request.

Staff did not recommend a public hearing due to the fact that City Council is required to hold a public

Hearing and staff recommended approval of the application as submitted based on:

- The area has similar "buffer" zoning to the south of the proposed zoning classification; and
- The parcel meets the bulk requirements for an M-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

Representatives of the owner and applicant were present.

Staff commented that neighbors have contacted the City concerned about increased traffic, and noted that there will be a meeting with residents conducted by the applicant and the owner on January 20 to discuss the proposed expansion of the Institute of Welding; however, it is not a City meeting and is not a City hearing. Regarding a buffer, staff commented that the buffer of mounding and trees would be continued to protect the residential neighbors. In response to Mr. Force as to this being a 34-hour operation, Mr. McGovern of Ferguson Construction and Mr. Muzulla, President and CEP of the Institute of Welding indicated the first shift is 8 am-4 pm, the second shift is 4 pm – 11:30 pm, the maximum on the first shift is 130 and the second shift will never exceed 50; with a further comment that some of the second shift may be split and overlap more the time of the first shift. In response to Mr. Titterington, it was stated that part of the existing parking lot is zoned R-4 with a dual zoning on the parcel. The applicant noted that the expansion is so the Welding Institute can respond to corporations that need further training for their existing employees.

**PUBLIC HEARING:** A motion was made by Mr. Titterington, seconded by Mr. McGarry, that the Commission not hold a public hearing on the proposed rezoning.

MOTION PASSED, UNANIMOUS VOTE

**REZONING APPLICATION:** A motion was made by Mayor Beamish, seconded by Mrs. Mahan that the Troy Planning Commission recommends to Troy City Council that Parcels D08-100722 and D08-100730; parcel # D08-100722 be rezoned from the dual zoning of M-2 Light Industrial and R-4 Single Family Residential to M-2, Light Industrial Zoning, and that parcel #D08-100730 be rezoned from R-4 Single family Residential District to M-2, Light Industrial District as requested and as supported by the findings of staff that:

- o The area has similar "buffer" zoning to the south of the proposed zoning classification; and
- o The parcel meets the bulk requirements for an M-2 zoned property and fits the proposed use well; and
- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

MOTION PASSED, UNANIMOUS VOTE



TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	January 13, 2016
SUBJECT:	Rezoning: Parcel #'s D08-100730 and D08-100722
OWNER:	Hobart Institute of Welding
APPLICANT:	Ferguson construction-Joseph McGovern

#### BACKGROUND:

Ferguson construction, applicant agent for Hobart Institute of Welding, has applied for Planning Commission to consider the rezoning of Parcel #'s D08-100722 and D08-100730. Currently, parcel # D08-100722 is dual zoned as M-2 Light Industrial and R-4 Single Family Residential and parcel #D08-100730 is zoned R-4 Single family Residential. The request is to rezone both parcels to M-2 Light Industrial.

The parcels in question are adjacent to Trade Square East Rd and Surrey Rd. in the Westbrook subdivision. The surrounding zoning districts include R-6 Two-Family Residential to the west, OR-1 Office residential to the south west, R-4 Single-Family Residential to the north and M-2 Light Industrial to the south. A map depicting the surrounding zoning districts has been attached to this report

#### DISCUSSION:

The applicant has cited numerous reasons for the proposed rezoning, and those are;

- To meet the large demand for professional career skill training by building a new tech center.
- The current parking area would be over capacity with the addition of the proposed tech center. The current parking lot, which has been in existence for more than 20 years, is in 2 different zoning districts as shown on the map provided. This rezoning would eliminate this non-conforming use.
- Both parcels have been owned by Hobart since the 1950's and the Hobart Welding Institute purchased them in 2009. It is their wish to have all adjacent parcels zoned for the uses currently on site, which is M-2.
- To simplify the zoning of these parcels by ensuring that parcel #D08-107222 is no longer a dual zone lot.

This area of the City is dominated by residential properties mixed with some Office Residential and Industrial Properties.

The M-2 district extends to the south of these parcels as seen in the aerials provided and the adjacent R-6 zoning and OR-1 zoning districts allow for a sufficient buffer to the R-4 district. An illustration is included with this report comparing the permitted uses for the R-4 and M-2 zoning districts.

The Zoning Code describes the M-2 Light Industrial District as being “designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities”.

It is staff's opinion that adjoining properties will not have any adverse effect from the proposed rezoning. The proposed M-2 district permits the greatest flexibility to the future use of the property. Protective buffers, mounds and trees, are already in place for the protection of the surrounding residential properties.

The Comprehensive Plan's Future Land Use (Figure 14-3) shows the surrounding area to be predominately residential with light industrial districts mainly to the east. The Comprehensive Plan also depicts the goal of the reuse of vacant or underutilized commercial and industrial structures in the core of the city.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

*(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) “To separate incompatible land uses and to cluster compatible and mutually supportive land uses”.
- 1131.02(r) “To direct particular land uses to the parcels of land best suited for them...”

The rezoning is consistent with the above listed intentions of the Zoning Code.

*(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*

The application was not submitted based upon any changing conditions in the area.

*(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*

The use is compatible with the existing parcels of land located around the proposed rezoning area.

*(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*

All utilities are provided.

*(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*

There is no vacant land in the vicinity of this proposed rezoning with M-2 zoning.

*(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*

Not applicable in this request.

#### **PUBLIC HEARING:**

A meeting has been scheduled with residents to discuss this proposed expansion. This meeting is scheduled for January 20, 2016 and will include representatives from Hobart Welding Institute, Ferguson Construction and the City of Troy.

Due to the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

#### **RECOMMENDATION:**

Staff is recommending that the Planning Commission recommend approval of the rezoning from R-4, Single Family Residential District to M-2 Light Industrial District, based on the following:

- The area has similar “buffer” zoning to the south of the proposed zoning classification; and
- The parcel meets the bulk requirements for an M-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

Date Requested: \_\_\_\_\_  
Applicant(s) scheduled on the agenda will be notified

Date Filed \_\_\_\_\_  
Accepted by \_\_\_\_\_  
Filing Fee Pd. \_\_\_\_\_  
Receipt # \_\_\_\_\_

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

**APPLICATION FOR ZONING AMENDMENT**  
**CITY OF TROY PLANNING COMMISSION**  
(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at 4 TRADE SQUARE EAST

(Street Address)

being lot number(s) D08-100730, D08-106722 from R-4 to M-2  
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

**OWNER**

**APPLICANT**

Name HOBART INSTITUTE OF WELDING

Name FERGUSON CONST. CO. (JOSEPH

Address 400 TRADE SQ. EAST

Address 400 CANAL ST.

City TROY

City SIDNEY

State OHIO

State OHIO

Zip Code 45373

Zip Code 45365

Phone No. 800-332-9448

Phone No. 937-498-2381

Fax No. 937-332-9550

Fax No. 937-498-2243

Email SCOTT.MAZZULLA@WELDING.ORG

Email jmcgovern@ferguson-construction.com

The applicant is the ARCHITECT / AGENT OF OWNER of the property, which is subject to this application.  
(State the interest of the applicant)

**PLEASE PROVIDE THE FOLLOWING:**

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as EXHIBIT "A".
2. The legal description of the land proposed to be reclassified: Attach as EXHIBIT "B".
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
  - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as EXHIBIT "C".
  - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as EXHIBIT "D".
  - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as EXHIBIT "E"
    - i. Include one (1) copy of County Tax Maps
    - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

[Signature]  
(Applicant Signature)

Subscribed and sworn to before me this 1<sup>st</sup> day of January, 2016

My Commission Expires 5/28/16  
(Month/Date/Year)



Lisa K. Blake  
Notary Public, State of Ohio  
My Commission Expires May 28, 2016

Lisa K. Blake  
(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

#### REQUIRED DOCUMENTS:

- ☒ EXHIBIT A Reasons for Zoning Reclassification
- ☒ EXHIBIT B Legal Description
- ☒ EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
- ☒ EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
- ☒ EXHIBIT E Property Owners List within 250 feet of parcel
- ☒ Labels Two (2) Sets of Mailing Labels of Property Owners
- ☒ Copies Fifteen (15) Complete Sets in a reproducible format 11"x17"
- ☒ Map(s) One (1) County Tax Map(s)
- ☒ Filing Fee Check issued to City of Troy for \$150.00

Additional Documentation (List):

#### PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

#### CITY COUNCIL DISPOSITION:

1<sup>st</sup> Reading: 2<sup>nd</sup>: 3<sup>rd</sup>: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Effective Date:

Revised 10/25/11

Exhibit

A





400 Canal Street, P.O. Box 726  
Sidney, OH 45365-0726  
Phone 937-498-2381  
Fax 937-498-1796

January 7, 2016

City of Troy Planning Commission  
100 S. Market Street  
Troy, Ohio 5373

Re: Re-Zoning of Parcel #'s – D08-100730,  
and D08-100722 for Hobart Institute of  
Welding Technology

Dear Commissioners:

Hobart Institute of Welding Technology (HIWT) and I are requesting a rezoning of parcel D08-100730 (.764 Acres), and partial rezoning of parcel D08-100722 (2.59 Acres). We are requesting that the zoning of these two parcels be modified from R-4 to M-2. These lots are directly north and adjacent to their current parcels including parcel D08-250422. All of these parcels are currently zoned M-2. We are requesting the zoning for several reasons.

- There is a large demand on HIWT for professional career training and skill training. To meet this demand HIWT is building a new tech center to serve those corporate clients wanting to advance the training of their employees.
- The existing parking on site is full, to accommodate the additional professional students, and prevent on-street parking, HIWT needs additional on-site parking. This parking would extend north from their existing parking, and maintain mounding and screening from all R-4 to provide the 25' buffer strip required by zoning code.
- To bring D08-100730 into alignment with its existing use. D08-100730 contains the northernmost part of the existing parking lot that has been there for over 20 years. If it is not acceptable to extend the parking lot to the north onto parcel D08-100722 zoned R-4, then D08-100730 with the existing parking lot should not be zoned R-4.
- The two parcels in question have been owned by Hobart since the 1950's, and HIWT bought it from Hobart Brothers around 2009, and it is their wish to have all of their adjacent parcels, which will be used in the same way as their existing facility to be zoned the same.
- To simplify the zoning of these parcels by ensuring that parcel from D08-100722 is not a dual zoned parcel.
- If the rezoning is not approved, then there would not be enough off street parking for HIWT's students, and this would hamper HIWT's ability to continue to develop their school at their current location.





City of Troy Planning Commission  
100 S. Market Street  
Troy, Ohio 5373  
Re-Zoning of Parcel #'s – D08-100730,  
and D08-100722 for Hobart Institute of  
Welding Technology  
January 7, 2016  
Page 2

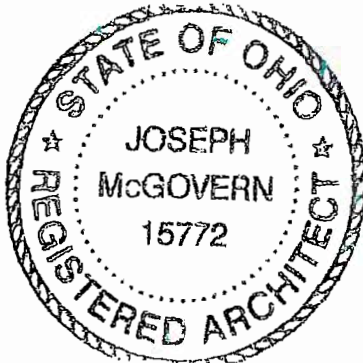
The plans for the new building and expansion of the existing parking lot will still provide visual and sound screening in the form of 8'+ mounds around the perimeter of the parking area. The new building is a low-slung building with lots of glazing, sloped, colored, architectural metal roofs, and masonry and metal construction. All zoning code requirements for M-2 will be met with the new building and expansion. It is HIWT's intent after re-zoning is complete to re-plot the parcels D08-100722, and D08-100730 and combine them with their adjacent parcels to create one parcel and simplify the property all under M-2.

Should you have any questions or comments please do not hesitate to contact me.

Sincerely,

FERGUSON CONSTRUCTION COMPANY

Joe McGovern, AIA, LEED AP  
Architect



# Exhibit B



400 Canal Street, P.O. Box 726  
Sidney, OH 45365-0726  
Phone 937-498-2381  
Fax: 937-498-1796

January 7, 2016

## HOBART RE-ZONING

Being part of Outlot 436 as recorded in Plat Volume 52 Page 23 in Section 16, Town 5, Range 6 East, Concord Township, Miami County, Ohio and being more fully described as follows;

Commencing at an iron pin at the Northwest corner of a 2.529 Acre parcel as recorded in Deed Book 519 Page 527 and also being in the south right of way line of Surrey Road as recorded in Plat Book 21 Page 47-47a.

Thence with the south right of way of Surrey Road North 89-58'-10" East for 325.77' to an iron pin.

Thence South 16-40'-55" East for 348.14' to an iron pin.

Thence South 10-5'-58" East for 5.03' to a point.

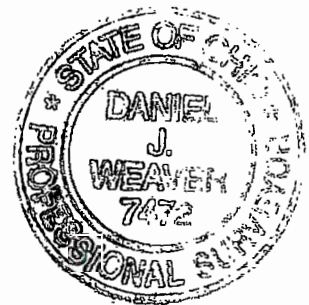
Thence South 89-58'-21" West for 426.42' to a point.

Thence N 0-1'-42" West for 338.28' to the point of beginning containing 2.92 acres more or less.

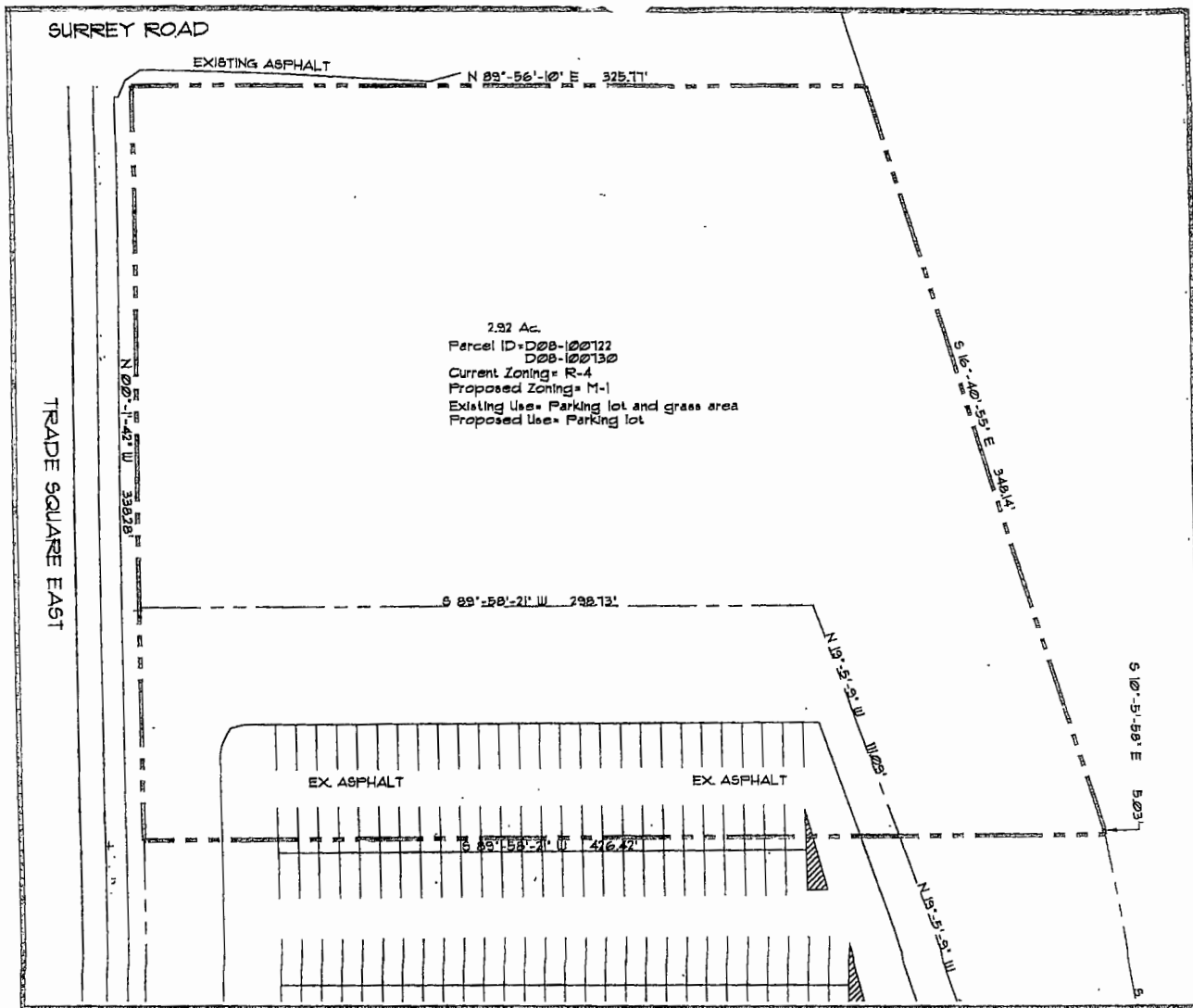
FERGUSON CONSTRUCTION COMPANY

A handwritten signature in black ink that reads 'Daniel Weaver'.

Daniel Weaver P.S. #7472.

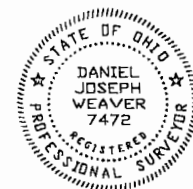


# Exhibit C



**SITE PLAN**

SCALE : 1" = 60'-0"



Copyright 2016  
Ferguson Construction  
Company

RE-ZONING FOR  
**HOBART INSTITUTE  
OF WELDING  
TECHNOLOGY**  
400 TRADE SQUARE EAST  
TROY, OHIO 45375

**FERGUSON  
CONSTRUCTION CO.**  
www.ferguson-construction.com

Job Number E-3501

Date 1/7/201

Drawn By DJJ

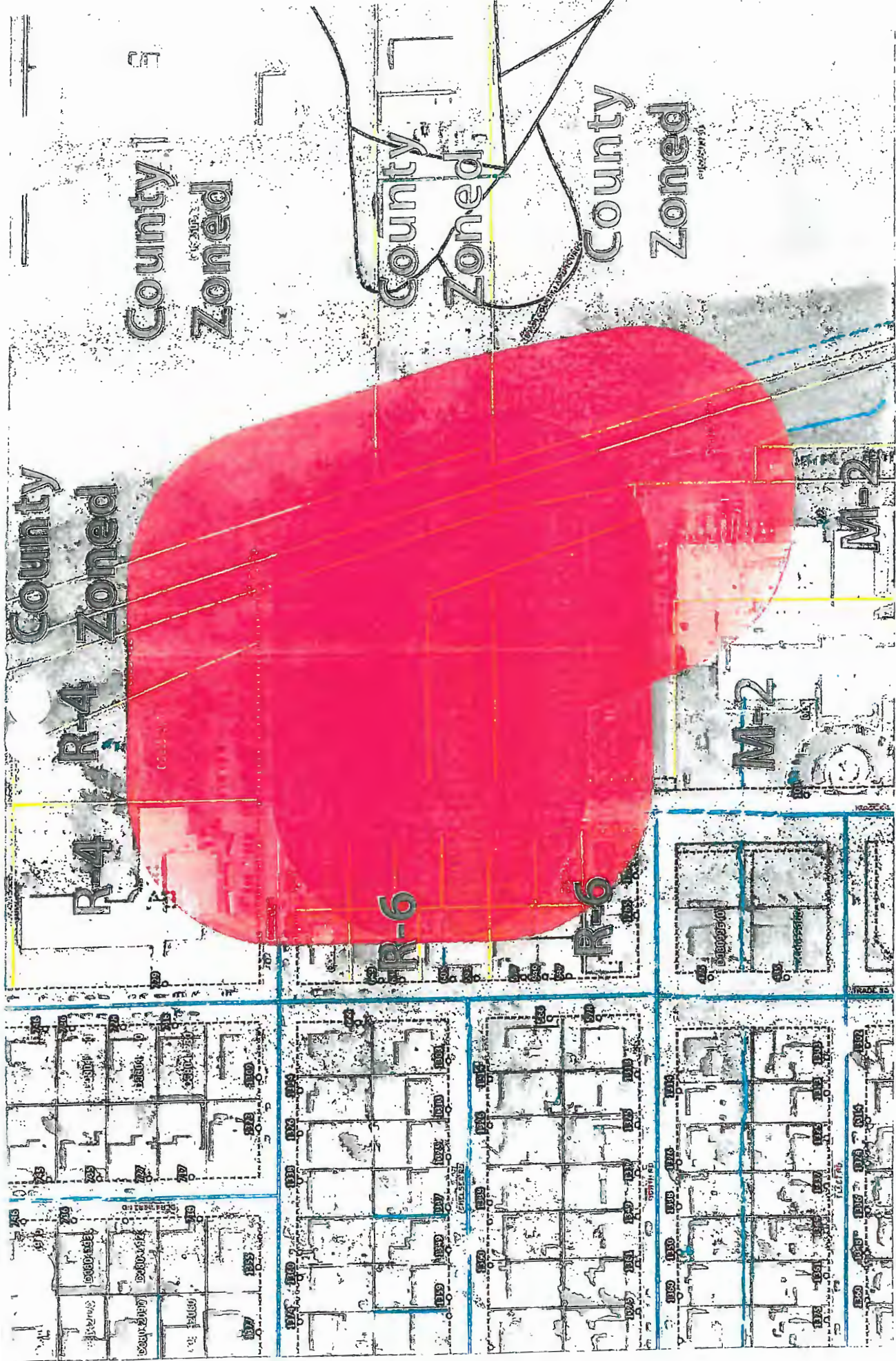
ZONING

**A-1**



# Exhibit D





County Zoned

County Zoned

County Zoned

M-2

M-2

R-6

R-6

Exhibit

E



**Parcel list within 250' from Parcels D08-100730, D08-100722**

<b>Parcel</b>	<b>Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>	<b>Zoned</b>
C06250010	Miami County Commissioners	201 West Main St.	Troy	OH	45373	County Zoned
C06250012	Miami County Agriculture	650 County Road 25A	Troy	OH	45373	County Zoned
C06250008	Miami County Commissioners	201 West Main St.	Troy	OH	45373	County Zoned
C06026800	Hobart Brothers Company	1522 Lytle (Rear) Rd.	Troy	OH	45373	County Zoned
D08039250	Rita Bedford	1235 North Rd.	Troy	OH	45373	R-6
D08039310	Doris J Eichler	1230 Surrey Rd.	Troy	OH	45373	R-6
D08039320	Sharron Short	1280 Surrey Rd.	Troy	OH	45373	R-6
D08039350	Garry K Fashner	875 Crossbow Ln.	Troy	OH	45373	R-6
D08039260	Michael A Williams	548 Trade Square East	Troy	OH	45373	R-6
D08039270	Jerry L Brown Trustee	4181 Barnes Road	Santa Rosa	CA	95403	R-6
D08039340	Sondra A Duncan Trustee	6850 West State Route 55	Ludlow Falls	OH	45339	R-6
D08039280	Richard C Haney III	594 Trade Square East	Troy	OH	45373	R-6
D08039290	Patricia M Herrick	634 Trade Square East	Troy	OH	45373	R-6
D08039330	Sondra A Duncan Trustee	6850 West State Route 55	Ludlow Falls	OH	45339	R-6
D08039300	Sycamore Ltd.	PO Box 67	Minster	OH	45865	R-6
D08250290	Board of Education	500 North Market St.	Troy	OH	45373	R-4
D08100750	Hobart Brothers Company	900 Trade Square East	Troy	OH	45373	M-2
D08250422	Hobart Brothers Company	900 Trade Square East	Troy	OH	45373	M-2
D08250412	Board of Park Commissioners	100 South Market St.	Troy	OH	45373	R-4





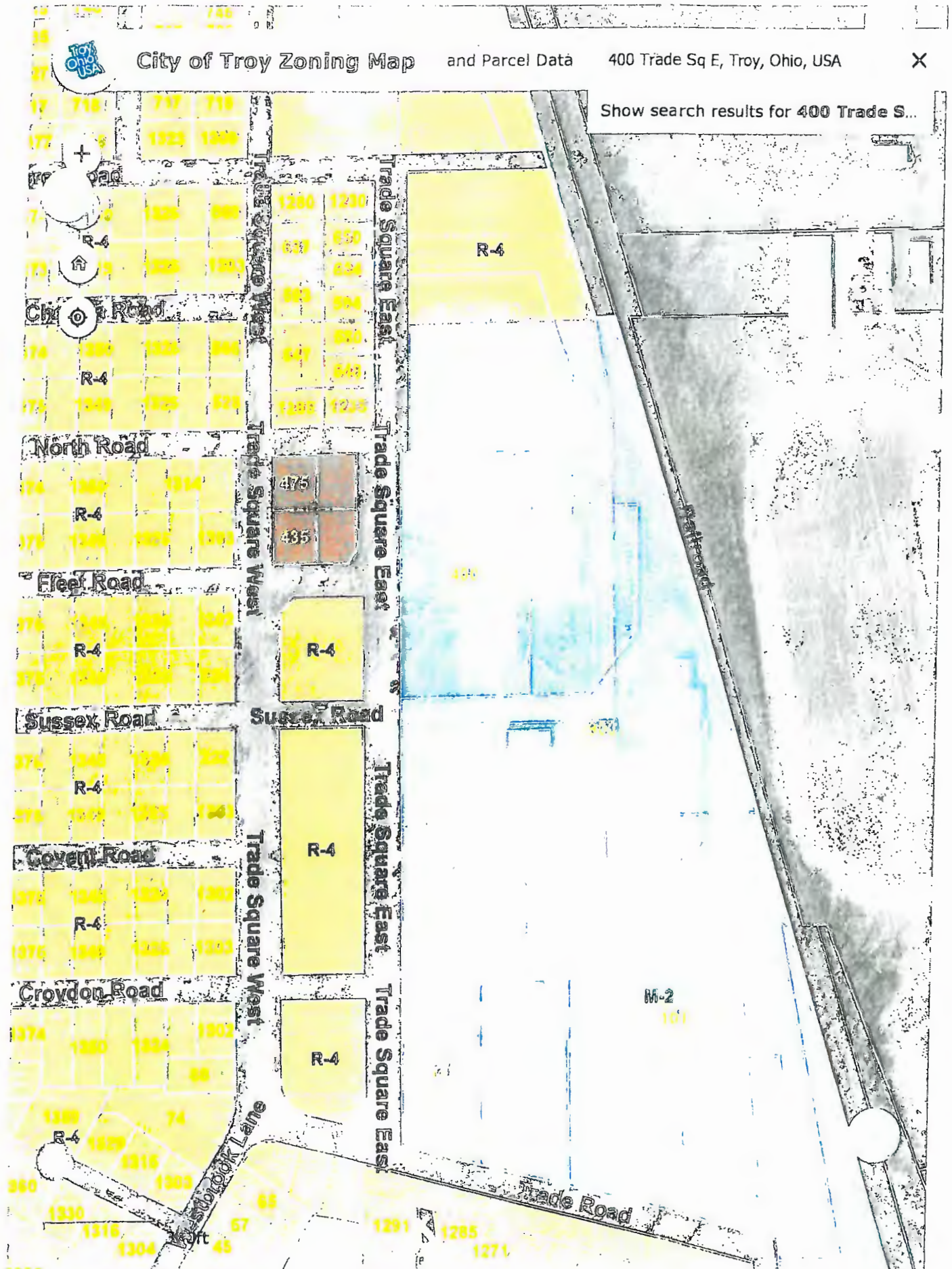
Show search results for 1141 W Mai...







Show search results for 400 Trade S...



R-4 Single-Family District uses not permitted in the M-2 Zoning District

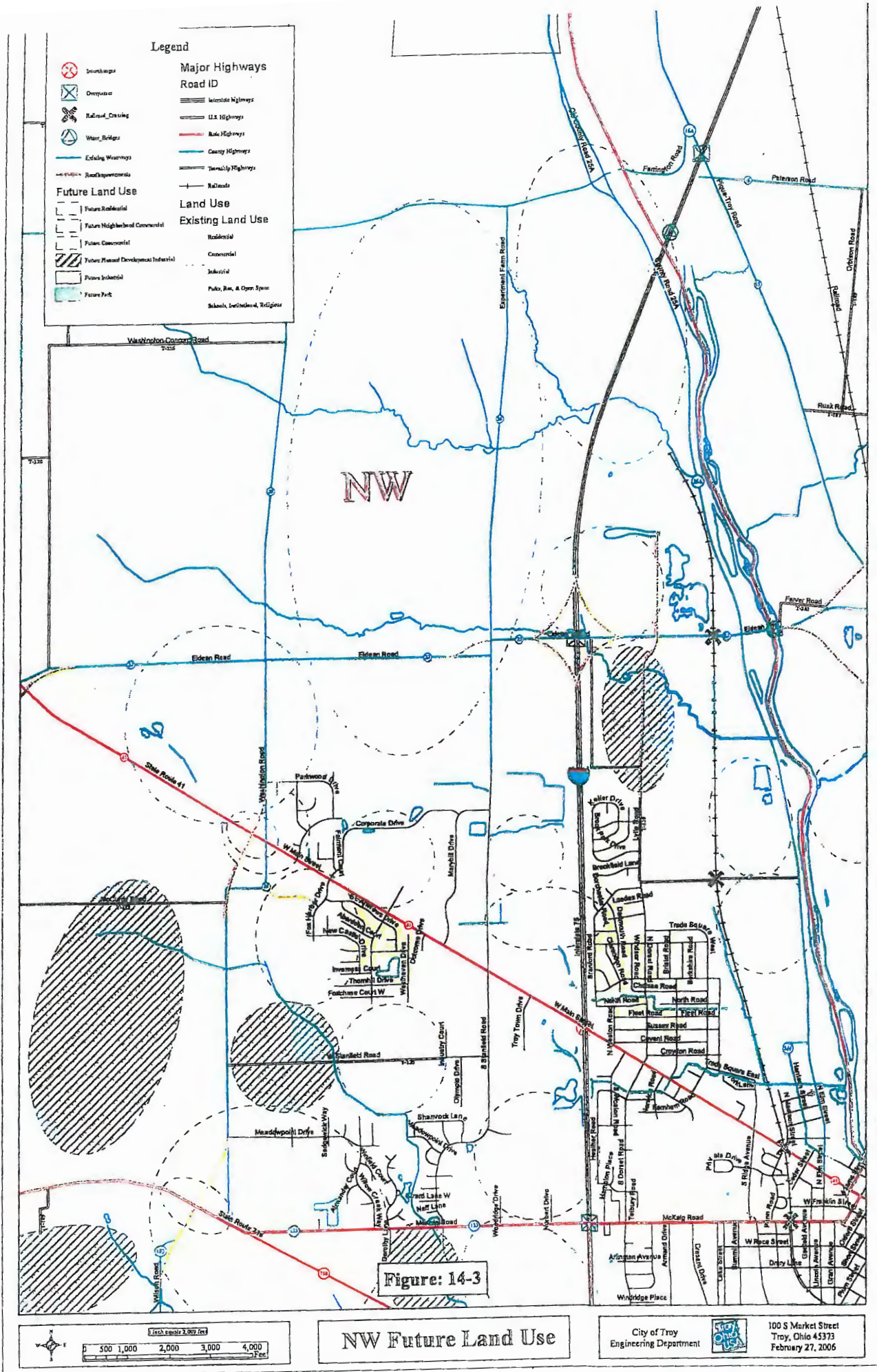
- Adult Family Home.
- Churches, chapels, temples, synagogues.
- Family Home.
- Foster Family Home.
- Public Parks, playgrounds and community centers
- Public Utility.
- Schools-primary, intermediate and secondary-public or private.
- Single family dwellings.

M-2 Light-Industrial District uses not permitted in the R-4 Zoning District

- Agricultural implement sales and service.
- Agricultural uses.
- Auction sales.
- Automobile fuel dispensing station.
- Automobile parking garages.
- Automobile parking lots.
- Automobile repair garages – including body work.
- Bakeries – wholesale sales.
- Beverage distributors and bottling plants.
- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling, compounding, or treatment (or any
- Building material sales and storage facilities
- Carpentry shops.
- Cash advance businesses.
- Cement block and formed products manufacturing.
- Cold storage plants.
- Commercial greenhouses and nurseries.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Dry cleaning – commercial.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco.
- Food brokers – retail, wholesale and storage without processing
- Frozen food lockers.
- Garden stores.
- Government buildings, structures, or premises used exclusively by federal, state, county, township, or municipal governments for public
- Government buildings, structures, or premises used exclusively by federal, state, county, township or municipal governments for public
- Heating, A/C, electric and plumbing sales, service and repair.
- Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations in accordance with Section 1143.18(a) hereof.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.

- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or product from previously prepared materials –
- Moving and storage companies
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops.
- Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from
- Pool Halls.
- Printing, publishing, binding and typesetting plants.
- Private clubs.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Sales offices and service centers.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Trucking and motor freight terminals.
- Watches and clocks, including clock operated devices -- manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Wholesale houses, warehouse and other storage facilities





ORDINANCE No. 0-9-2016

Dayton Legal Blank, Inc

**ORDINANCE CHANGING THE ZONING OF INLOT 10577  
IN THE CITY OF TROY, OHIO FROM THE MIAMI  
COUNTY, OHIO ZONING OF A-2 AND F-1 TO THE CITY  
ZONING OF R-4, SINGLE FAMILY RESIDENTIAL  
DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlot 10577 in the City of Troy, Ohio, a parcel of 117.2782 acres, formerly known as the Huelskamp Farm, which property is owned by the City of Troy and has been annexed to the City of Troy, Ohio, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval of said zoning change, and

WHEREAS, at least thirty days notice of the public hearing of said zoning change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the zoning of Inlot 10577, further described in Exhibit A, shall be changed from the Miami County, Ohio zoning of A-2, General-Agriculture Zoning District, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential District.

**SECTION II:** That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



EXHIBIT A

Situate in the State of Ohio, County of Miami, Township of Staunton and being a part of Fractional Section 19, Town 1, Range 11, MRS, more particularly described as follows:

Commencing at a p.k. nail in the centerline of Troy-Sidney Road which marks the Southeast corner of Fractional Section 19, and said point being the POINT OF BEGINNING, witness an iron pin 30.00 feet distant on line next described;

thence North 88°58'06" West, a distance of 2453.86 feet to an iron pin at the approximate top of the East bank of the Great Miami River;

thence North 07°23'54" West with the approximate top of the East bank of the Great Miami River, a distance of 553.96 feet to an iron pin;

thence North 03°42'44" East with the approximate top of the East bank of the Great Miami River, a distance of 437.78 feet to an iron pin;

thence North 01°10'43" West, along the East bank of the Great Miami River and extending into the river a distance of 599.30 feet to a point;

thence North 86°37'20" East with the original property line at the outlet of Spring Creek, a distance of 163.68 feet to a point;

thence North 35°07'20" East, a distance of 333.96 feet to a point;

thence South 88°52'40" East with the original property line in Spring Creek, a distance of 239.58 feet to a point;

thence North 50°27'20" East with the original property line in Spring Creek, a distance of 558.26 feet to a point;

thence South 89°58'35" East, a distance of 1263.90 feet to an iron pin;

thence South 00°43'05" West, a distance of 592.78 feet to a corner which is the centerline of the East face of a 12" x 12" concrete post;

thence North 89°47'18" East, a distance of 219.00 feet to a p.k. nail in the centerline of Troy-Sidney Road, witness an iron pin 30.00 feet distant on line last described;

thence South 00°43'05" West with the centerline of Troy-Sidney Road, a distance of 154.02 feet to a p.k. nail;

thence South 00°21'56" East with the centerline of Troy-Sidney Road, a distance of 1516.69 feet to a p.k. nail being the POINT OF BEGINNING;

The above described tract contains a total of 117.2782 acres, same being subject to all legal highways, easements, and restrictions of record.



City of Troy

**MEMORANDUM**

**TO:** Mrs. Baker, President, Troy City Council  
**FROM:** Sue Knight, for the Troy Planning Commission  
**DATE:** February 4, 2016

**SUBJECT: REPORT OF THE PLANNING COMMISSION ON THE REZONING OF CITY OWNED PROPERTY AT 2290 TROY-SIDNEY ROAD, KNOWN AS THE HUELSKAMP FARM, 117.278 ACRES FROM THE DUAL COUNTY ZONING OF A-2, GENERAL-AGRICULTURE ZONING DISTRICT, AND F-1, FLOOD PLAIN, TO THE CITY OF TROY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL ZONING**

On January 27, 2016 the Troy Planning Commission considered the rezoning the 117.278 acre parcel at 2290 Troy-Sidney Road, known as the Huelskamp Farm, from the dual County Zoning of A-2, General-Agriculture Zoning District, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential Zoning; Owner/Applicant: City of Troy, Ohio. The proposed zoning is the same as the Paul G. Duke Park. The applicant for the rezoning is the City of Troy, Ohio.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that the property known currently as the Huelskamp Farm be rezoned from the dual County Zoning of A-2, General-Agriculture Zoning District, and F-1, Flood Plain, to the City of Troy zoning of R-4, Single-Family Residential Zoning, based on the findings of staff that:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with the requested zoning district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Planning Commission Chair Alan Kappers requested that the Board of Park Commissioners also review the proposed rezoning and provide a recommendation to Council. On February 2 the Board of Park Commissioners met and did recommend that the rezoning be approved.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the March 7 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	January 27, 2016
SUBJECT:	Rezoning: 2290 Troy-Sidney Rd
PARCEL:	K30-003400 (117.278 ac.)
OWNER:	City of Troy
APPLICANT:	City of Troy

#### BACKGROUND:

The City of Troy is requesting Planning Commission to consider the rezoning of 2290 Troy-Sidney Rd. (parcel K30-003400 containing 117.278 ac.). This property was annexed into the City of Troy in the fall of 2015. The property is located north of Duke Park. Currently, the property is county zoned A-2 General-Agriculture and F-1 Flood Plain. The applicant requests that the zoning of the parcel be rezoned to city zoning of R-4 Single-Family Residential district.

The land is currently utilized as farmland and contains a house and several outbuildings. The surrounding zoning districts include County Zoning of A-2 General Agriculture to the north and west, F-1 Flood Plain to the east, County zoning of R-1A Single-Family Residential to the northwest, and City of Troy Zoning of R-4 Single-Family to the south of the parcel. A map depicting the city surrounding zoning districts is attached to this report.

#### DISCUSSION:

With the recent annexation of the property, it is the City's request to establish city zoning. It is the intent to utilize this land as future parkland. The R-4 district allows public parks, playground and community centers as permitted uses. Attached to this report are the uses and requirements of the R-4 district.

The Comprehensive Plan's Future Land Use Map (Figure 14-2) displays this area as future residential use. Specifically, in Chapter 13, Parks and Open Space, the Comprehensive Plan states one goal as "To expand the park system and open space requirements commensurate with population growth." A copy of Figure 14-2 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

*(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

*(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and compliments the existing R-4 zoning district (used as parkland).

*(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*

The proposed use is compatible and similar to the zoning of Duke Park (R-4) that currently exists to the south of this parcel.

*(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*

All utilities can be provided.

*(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*

In the vicinity of the subject property, there is no available vacant land (not classified as parkland) zoned with the R-4 classification.

*(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*

Not applicable in this request.

#### **PUBLIC HEARING:**

Due to the straight forward nature of the rezoning request and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

**RECOMMENDATION:**

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- Proposed use is consistent with the requested zoning district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

- (a) Purpose. The "R-4" Single-Family Residence District is designed to accommodate single-family dwellings on lots with areas of at least nine thousand (9,000) square feet per dwelling unit. This district will be mapped to protect areas that now meet these minimum lot sizes and for comparable areas which will develop in the future. The Comprehensive Plan describes the R-4 District as medium to high density.
- (b) Principal Permitted Uses Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:
- ▣ Adult Family Home.
  - ▣ Churches, chapels, temples, synagogues.
  - ▣ Family Home.
  - ▣ Foster Family Home.
  - ▣ Public parks, playgrounds and community centers.
  - ▣ Public utility.
  - ▣ Schools – primary, intermediate and secondary – public or private.
  - ▣ Single family dwellings.
- (c) Permitted Accessory Uses. The following are permitted as accessory uses subject to the provisions of Section 1151.04:
- (1) Private garages or carports.
  - (2) A structure for storage incidental to a permitted use.
  - (3) A guest house.
  - (4) Private swimming pool, bath house, and tennis courts.
  - (5) Child's playhouse.
  - (6) Statuary, arbors, trellises, barbeque equipment, flagpoles, fences, play equipment, clothes lines, walls, and hedges.
  - (7) Fallout shelters.
  - (8) Day-care centers.
  - (9) Satellite earth stations and dish antennas.
  - (10) Antennas used by amateur radio operators.
  - (11) Any other use customarily found in conjunction with the principal use.
- (d) Lot Size Requirements. Each separate zoning lot in the "R-4" Single-Family Residential District shall:
- (1) Contain a minimum lot area of nine thousand (9,000) square feet.

- (2) Have a minimum lot width of sixty (60) feet.
- (3) Have a minimum lot depth of one hundred (100) feet.
- (4) Have a maximum lot depth to lot width ratio of 3:1 except on cul-de-sacs lots and other lots bearing unique topography.

(e) Buffer Strips. A buffer strip shall be established on the lot being developed in the "R-4" Single-Family Residential District when it abuts the following zoning districts:

- (1) R-7, OR-1, OC-1, B-1 or WO: A minimum of fifteen (15) feet in width.
- (2) B-2, B-3, B-4, M-1, M-2, M-3: A minimum of twenty-five (25) feet in width.

All buffer strips shall be in accordance with the standards outlined in Section 1149.11 of this Zoning Code.

(f) Bulk Regulations. All construction on any zoning lot in the "R-4" Single-Family Residential District shall provide for:

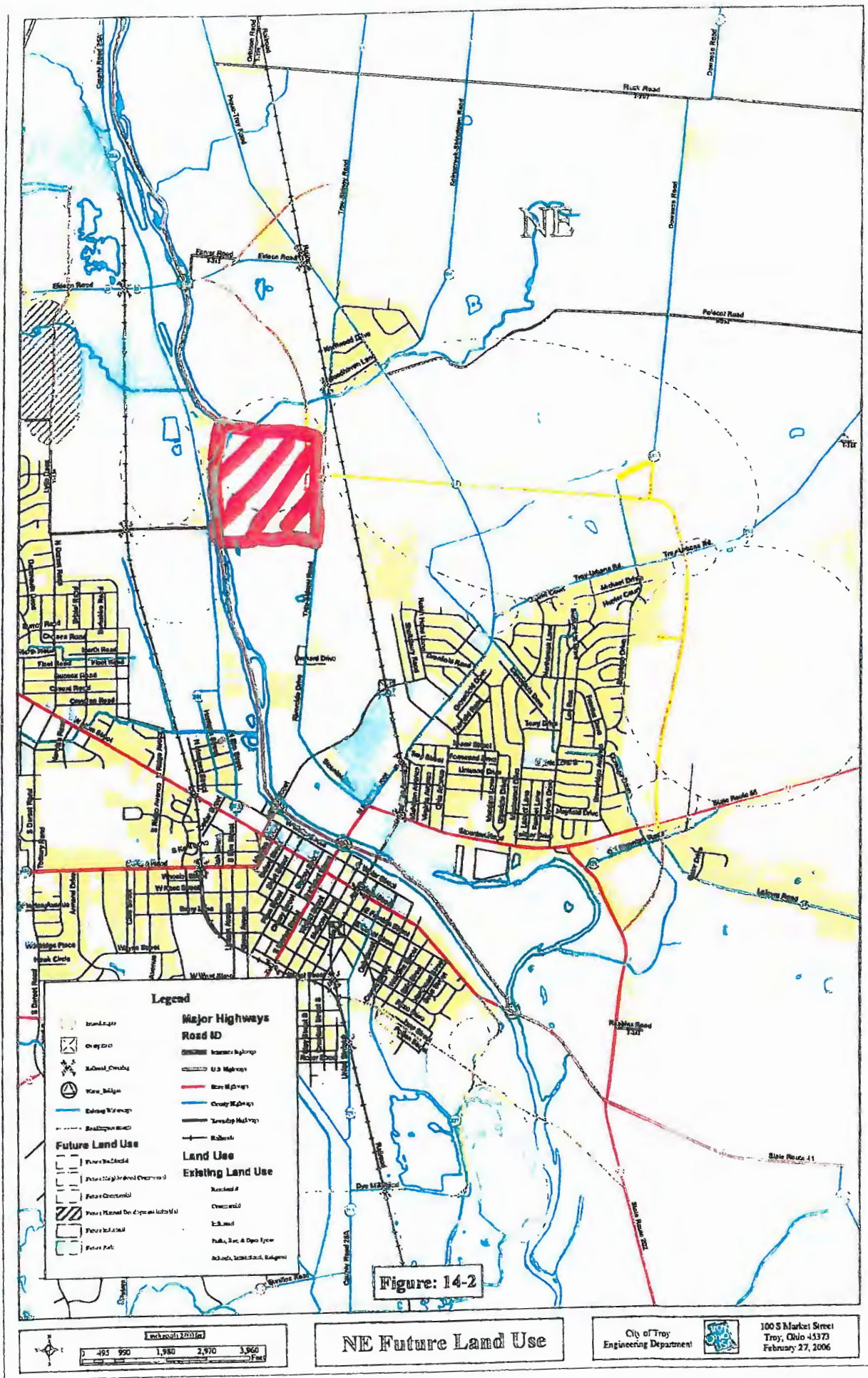
- (1) Maximum building lot coverage of forty (40) percent.
- (2) Maximum structure height of forty (40) feet.
- (3) Minimum front yard of thirty (30) feet.
- (4) Minimum combined side yard of fifteen (15) feet, with one side being a minimum of seven (7) feet.
- (5) Minimum rear yard of thirty (30) feet.

(g) Development Standards. All development in the "R-4" Single-Family Residential Zoning District shall be subject to the applicable provisions of Sections 1147 through 1159 of this Zoning Code.









## ORDINANCE No. 0-10-2016

Dayton Lee, et al. Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF INLOTS 10575  
AND 10576 IN THE CITY OF TROY, OHIO FROM THE  
MIAMI COUNTY, OHIO ZONING OF F-1, FLOOD PLAIN,  
TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlot 10575 and Inlot 10576 (which Inlots are the property of the City of Troy and have been annexed to the City of Troy and are shown on the map attached hereto as Exhibit A for Inlot 10575 and Exhibit B for Inlot 10576) from the Miami County, Ohio zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District.

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval of said zoning change, and

WHEREAS, at least thirty days notice of the public hearing of said zoning change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the zoning of Inlot 10575 and Inlot 10576 shall be changed from the Miami County, Ohio zoning of F-1, Flood Plain, to the City of Troy zoning of B-1, Local Retail District.

**SECTION II:** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor





EXHIBIT B





MEMORANDUM

TO: Mrs. Baker, President, Troy City Council  
FROM: Sue Knight, for the Troy Planning Commission  
DATE: February 4, 2016

SUBJECT: REPORT OF THE PLANNING COMMISSION ON THE REZONING OF CITY OWNED PROPERTY LOCATED OFF NORTH ELM STREET, COMPRISED OF TWO PARCELS LOCATED NORTH OF TREASURE ISLAND PARK. ONE PARCEL IS 4.594 ACRES AND ONE PARCEL IS .283 ACRES. THIS WOULD BE A REZONING FROM THE COUNTY ZONING OF F-1, FLOOD PLAIN, TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT

On January 27, 2016 the Troy Planning Commission considered the rezoning of two City-owned parcels located off North Elm Street and north of Treasure Island Park. One parcel is 4.594 acres and one parcel is .283 acres. This would be a rezoning from the County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District. The proposed zoning is compatible with surrounding properties. The City of Troy is the applicant

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that that the two parcels of City owned property located off North Elm Street and north of Treasure Island Park, be rezoned from the County Zoning of F-1, Flood Plain, to the City of Troy zoning of B-1, Local Retail District, based on the findings of staff that:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with the requested zoning district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Planning Commission Chair Alan Kappers requested that the Board of Park Commissioners also review the proposed rezoning and provide a recommendation to Council. On February 2 the Board of Park Commissioners met and did recommend that the rezoning be approved.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the March 7 meeting of Council.

encl.



TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	January 27, 2016
SUBJECT:	Rezoning 4.594 acres and .283 acres
OWNER:	City of Troy
APPLICANT:	City of Troy

#### BACKGROUND:

The City of Troy is requesting Planning Commission to consider the rezoning of 4.594 acres and .283 acres of land located north of Treasure Island Park. This property was annexed into the City of Troy in the fall of 2015. Currently, the property is county zoned F-1 Flood Plain and the applicant requests that the zoning of the parcel be rezoned to city zoning of B-1 Local Retail District.

The land is currently open space and is bounded on the east by the Great Miami River. The surrounding zoning districts include County Zoning of F-1 Flood Plain to the north, east and west, and City of Troy Zoning of B-1 Local Retail District to the south of the parcels. A map depicting the city surrounding zoning districts is attached to this report.

#### DISCUSSION:

With the recent annexation of the property, it is the City's request to establish city zoning. It is the intent to leave this land as open space that connects to Treasure Island Park. The B-1 district allows public parks, playground and community centers as permitted uses. Attached to this report are the uses and requirements of the B-1 district.

The Comprehensive Plan's Future Land Use Map (Figure 14-2) displays this area as a mix of park and commercial uses. A copy of Figure 14-2 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

*(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

*(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and compliments the existing B-1 zoning district (used as parkland).

*(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*

The proposed use is compatible and similar to the zoning of Treasure Island Park (B-1) that currently exists to the south of this parcel.

*(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*

All utilities can be provided.

*(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*

In the vicinity of the subject property, there is no available vacant land (not classified as parkland) zoned with the B-1 classification.

*(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*

Not applicable in this request.

#### **PUBLIC HEARING:**

Due to the straight forward nature of the rezoning request and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

#### **RECOMMENDATION:**

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and

- Proposed use is consistent with the requested zoning district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.



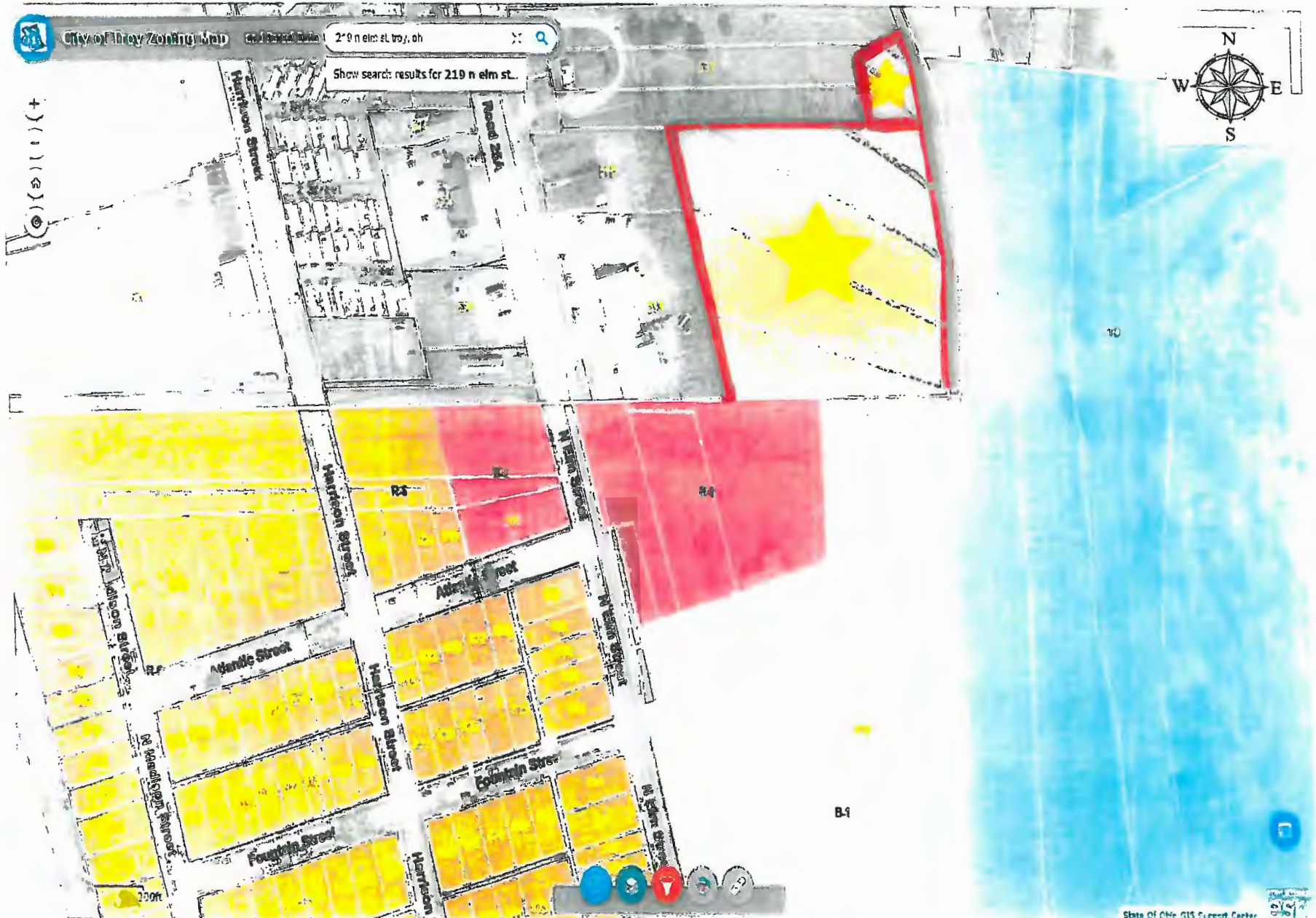
City of Troy Zoning Map

219 n elm st, tr, oh

219 n elm st, tr, oh



Show search results for 219 n elm st.



State Of Ohio GIS Support Center







(a) Purpose. The "B-1" Local Retail District is intended to permit the development of retail sales and personal services required to meet the day-to-day needs of an adjacent residential neighborhood. Stores, businesses and offices in this zone should be useful to the majority of the neighborhood residents, should be economically supportable by nearby population, and should not draw community-wide patronage. A grocery store or grocery store/drugstore combination is favored as the principal tenant in a local retail district. In general, the "B-1" Local Retail District is intended for the grouping of a grocery store and small retail businesses and office uses which are relatively nuisance-free to surrounding residences and which do not detract from the residential purpose and character of the surrounding neighborhood. Residential uses may be permitted on the second story or above when located in a building in which the first floor is devoted to a permitted use.

(b) Principal Permitted Uses Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:

- ▣ Accountant's office.
- ▣ Apparel stores – retail stores.
- ▣ Architect's office.
- ▣ Art and school supplies – retail sales.
- ▣ Art galleries and museums.
- ▣ Artist, sculptor and composer studios.
- ▣ Attorney's office.
- ▣ Automobile fuel dispensing station.
- ▣ Automobile parking garages.
- ▣ Automobile parking lots.
- ▣ Banks and financial institutions.
- ▣ Barber and beauty shops.
- ▣ Bed and Breakfast.
- ▣ Bicycle sale, rental and repair.
- ▣ Books – retail sales.
- ▣ Business, civic, fraternal association and labor meeting rooms.
- ▣ Cameras and photo supplies – retail sales.
- ▣ Candy and confectionery – retail sales.
- ▣ Child day – care centers.
- ▣ Churches, chapels, temples, synagogues.
- ▣ Cigars, cigarettes, tobacco – retail sales.
- ▣ Drug stores – retail sales.
- ▣ Dry cleaning and laundromats.
- ▣ Eating place – carry out.
- ▣ Eating place - #1.
- ▣ Eating place - #2.

- ▣ Electrical appliance repair.
- ▣ Engineer's office.
- ▣ Florists.
- ▣ Food stores – retail sales.
- ▣ Gift shops.
- ▣ Government buildings, structures, or premises used exclusively by federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.
- ▣ Grocery, meat and fish – retail sales.
- ▣ Hardware – retail sales.
- ▣ Hobby shops – retail sales.
- ▣ Insurance agent's office.
- ▣ Jewelry – retail sales.
- ▣ Lawn mower sales, service and repair.
- ▣ Leather goods and luggage – retail sales.
- ▣ Libraries.
- ▣ Locksmiths.
- ▣ Medical and dental laboratories.
- ▣ Medical and dental office/clinic.
- ▣ Mortuaries and funeral parlors.
- ▣ Newsstand – retail sales.
- ▣ Office supplies and stationery – retail sales.
- ▣ Optical goods – retail sales.
- ▣ Package liquor, beer and wine – retail sales.
- ▣ Paint, glass and wallpaper – retail sales.
- ▣ Pet sales and supplies – retail sales.
- ▣ Photo studios.
- ▣ Private clubs.
- ▣ Professional Offices not otherwise mentioned.
- ▣ Public parks, playgrounds and community centers.
- ▣ Public utility.
- ▣ Radio and television-sales, service and repair.
- ▣ Real estate broker's office.
- ▣ Repair part – retail sales.
- ▣ Residential use on second story or above.
- ▣ Retail and service uses.
- ▣ Schools – primary, intermediate and secondary – public or private.
- ▣ Seamstress and tailor.
- ▣ Shoe repair.
- ▣ Upholstery shop, not involving furniture manufacturing.
- ▣ Variety stores – retail sales.
- ▣ Veterinary office – no boarding.
- ▣ Watch, clock and jewelry repair.



(c) Permitted Accessory Uses. The following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code:

- (1) Refuse Dumpsters.
- (2) A structure for storage incidental to a permitted use.
- (3) Off-street parking and loading as regulated in Sections 1153 and 1155 of this Zoning Code.
- (4) Any use which is customarily found in conjunction with principal use as approved by the Planning Commission.

(d) Lot Size Requirements. Each separate zoning lot in the "B-1" Local Retail District shall:

- (1) Contain a minimum lot area of twenty thousand (20,000) square feet.
- (2) Have a minimum lot width of one hundred (100) feet.
- (3) Have a minimum lot depth of one hundred (100) feet.
- (4) Have a maximum lot depth to lot width ratio of 3:1 except on cul-de-sacs lots and other lots bearing unique topography.

(e) Buffer Strips. A buffer strip shall be established on the lot being developed in the "OC-1" Office-Commercial District when it abuts the following zoning districts:

- (1) A, A-R, R-1 to R-7: A minimum of twenty-five (25) feet in width.

All buffer strips shall be developed in accordance with the standards outlined in Section 1149.11 of this Zoning Code.

(f) Bulk Regulations. All construction on any zoning lot in the "B-1" Local Retail District shall provide for:

- (1) Maximum building lot coverage of sixty (60) percent.
- (2) Maximum structure height of forty (40) feet.
- (3) Minimum front yard of twenty-five (25) feet.
- (4) Minimum side yard of five (5) feet.
- (5) Minimum rear yard of twenty-five (25) feet.

(g) Development Standards. All development in the "B-1" Local Retail Zoning District shall be subject to the applicable provisions of Sections 1147 through 1159 of this Zoning Code.

## ORDINANCE No. O-11-2016

Oxyion Legal Blank, Inc

**AN ORDINANCE AMENDING SECTIONS 521 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND SECTIONS 1133 AND 1151 OF THE ZONING CODE OF THE CITY OF TROY, OHIO RELATED TO FENCES**

WHEREAS, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to fences and has recommended approval of said amendments; and

WHEREAS, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

WHEREAS, Troy City Council has reviewed Section 521 of the Codified Ordinances related to fences, and Sections 1133 and 1151 of the Zoning Code for the City of Troy, Ohio, and determined the appropriate changes are necessary.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That Section 521.07 of the Fence Regulations is amended to include a new subsection (a) as follows, with all subsections thereafter re-lettered:

"521.07 Fences.

A fence may be erected, placed, or maintained, upon a lot, subject to the following conditions:

(a) Fences can only be erected upon a zoning lot where a principal structure has been established."

**SECTION II:** That Section 1133.02 (81) of the Zoning Code of the City of Troy, Ohio, attached hereto as Exhibit A, is hereby repealed.

**SECTION III:** That Section 1133.02 (81) of the Zoning Code of the City of Troy, Ohio, as set forth below is enacted and adopted:

"1133.02 DEFINITIONS.

(81) 'Fence.' A free standing accessory structure over twelve (12) inches constructed of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. Fences shall be maintained in a neat and orderly manner and shall conform to the regulations of Section 521.07 of the Codified Ordinances."

**SECTION IV:** That Section 1133.02 (157) of the Zoning Code of the City of Troy, Ohio attached hereto as Exhibit B, is hereby repealed.

**SECTION V:** That Section 1133.02 (157) of the Zoning Code of the City of Troy, Ohio, as set forth below is enacted and adopted:

"1133.02 DEFINITIONS.

(157) 'Setback Line.' Where a front or side yard is required along a street, the setback line shall be the minimum horizontal distance between the right-of-way line of the street and a line parallel to the right-of-way line of the street from which any required yard shall be measured unless a principal structure has been erected. If a principal structure exists, the distance measured horizontally from the right-of-way line of the street to the principal structure becomes the required setback line."

**SECTION VI:** That Section 1151.04 (c)(1) of the Zoning Code of the City of Troy, Ohio attached hereto as Exhibit C, is hereby repealed.

**SECTION VII:** That Section 1151.04 (c)(1) of the Zoning Code of the City of Troy, Ohio as set forth below is enacted and adopted:

"1151.04 ACCESSORY BUILDINGS, STRUCTURES AND USES.

(c) All accessory buildings and structures shall conform to the following bulk regulations:

(1) Accessory buildings and structures shall be set back not less than five (5) feet from the rear lot line except as required by Section 521.07 of the Codified Ordinances."

**SECTION VIII:** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

Mayor

#### **EXHIBIT A**

##### **1133.02 DEFINITIONS.**

(81) "Fence." A free standing structure over twelve (12) inches constructed of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. Fences shall be maintained in a neat and orderly manner and shall conform to the regulations of Section 521.07 of the Codified Ordinances.

#### **EXHIBIT B**

##### **1133.02 DEFINITIONS.**

(157) "Setback Line." Where a front or side yard is required along a street, the setback line shall be the minimum horizontal distance between the right-of-way line of the street and a line parallel to the right-of-way line of the street from which any required yard shall be measured

#### **EXHIBIT C**

##### **1151.04 ACCESSORY BUILDINGS, STRUCTURES AND USES.**

- (c) All accessory buildings and structures shall conform to the following bulk regulations:
  - (1) Accessory buildings and structures shall be set back not less than five (5) feet from the rear lot line.



City of Troy

Patrick E J Titterington  
Director of Public Service & Safety

www.troyohio.gov  
100 South Market Street  
Troy, Ohio 45373  
phone (937) 339 1725/fax: (937) 339-8601

TO: Marty Baker, President of Council  
FROM: Patrick Titterington, Director of Public Service & Safety  
DATE: January 13, 2016  
SUBJECT: Changes to the Zoning Code and Fence Code

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**RECOMMENDATION:**

That City Council pass legislation to clarify the intent and practice regarding fences.

**BACKGROUND:**

The City has treated fences as accessory structures since the last modification of the Fence Code in 2011 (and even before then). The Law Director has indicated a couple of sections in our code may be conflicting with the City's past interpretation and should be refined should the City desire to treat fences as accessory structures. The proposed alterations (below) clarify the intent of the various codes relating to fences. The proposed changes are highlighted in red.

*Alteration 1:* Reword Section 521.07 (a) of the Troy Codified Ordinances to read "Fences can only be erected upon a zoning lot where a principal structure has been established." This change to Section 521.07(a) requires that fences cannot be erected on undeveloped lots. This is consistent with our current practice. Renumbering the rest of the conditions listed in 521.07 would be required.

*Alteration 2:* Modify Section 1151.04(c)(1) of the Zoning Code to read "Accessory building and structures shall be set back not less than five (5) feet from the rear lot line except as required by Section 521.07 of the Codified Ordinances." Currently, accessory structures are required to be setback a minimum of five feet from the rear property line. This modification allows fences to be erected on the rear property line and consistent with the requirements set forth in 521.07 of the Codified Ordinances.

*Alteration 3:* Amend the definition of "Fence" to include the word "accessory" in section 1133.02(81) of the Zoning Code. This amendment clarifies that fences are considered as an accessory structure and not a principal structure on a lot. Section 1133.02(81) would read "A free standing accessory structure over twelve (12) inches constructed of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. Fences shall be maintained in a neat and orderly manner and shall conform to the regulations of Section 521.07 of the Codified Ordinances."

*Alteration 4:* Add additional language to 1133.02(157) "Setback Line" to include "...unless a principal structure has been erected If a principal structure exists, the distance measured horizontally from the right-of-way line of the street to the principal structure becomes the required setback line." This language clarifies that the principal structure has set the setback line on a property. If the property is undeveloped, then the setback line would be distance listed in zoning code for that district.



**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council consideration of recommending the legislation changes to the Zoning Code and Fence Ordinance. The proposed changes to the Zoning Code {Sections 1151.04(c)(1), 1133.02(81) and 1133.02(157)} have received Planning Commission approval. A change to the Fence Ordinance (Section 521.07) does not require Planning Commission review.

Cc: Mayor Beamish



MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: January 19, 2016

SUBJECT: REPORT OF THE PLANNING COMMISSION – PROPOSED AMENDMENTS TO ZONING CODE TO CLARIFY THE INTENT AND PRACTICE REGARDING FENCES

At the January 13, 2016 meeting of the Troy Planning Commission, the Commission reviewed three proposed amendments to the Zoning Code to clarify the intent and practice of the City regarding fences – that fences are treated as accessory structures. The sections proposed to be amended are:

- Section 1151.04 (c) (1) to permit fences to be erected on the rear property line and consistent with the requirements set forth in Section 521.07 of the Codified Ordinances.
- Section 1133.02 (81) to amend the definition of “fence” to include the word “accessory”.
- Section 1133.02 (157) to clarify that the principal structure has set the setback line on a property.

The Troy Planning Commission determined not to hold a public hearing on these proposed amendments. By unanimous vote the Troy Planning Commission recommends to Troy City Council that the Zoning Code amendments, as presented by staff and reviewed by the Planning Commission, be approved.

Attached you will find a copy of the information provided to the Commission and a draft of the minutes of the Planning Commission.

This matter is forwarded herewith for consideration of Troy City Council.

encl.



TO: Troy Planning Commission

FROM: Tim Davis

DATE: January 13, 2016

SUBJECT: Changes to the Zoning Code

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**RECOMMENDATION:**

That City Council pass legislation to clarify the intent and practice regarding fences.

**BACKGROUND:**

The City has treated fences as accessory structures since the last modification of the Fence Code in 2011 (and even before then). The Law Director has indicated a couple of sections in our code may be conflicting with the City's past interpretation and should be refined should the City desire to treat fences as accessory structures. The proposed alterations (below) clarify the intent of the various codes relating to fences. The proposed changes are highlighted in red.

*Alteration 1:* Modify Section 1151.04(c)(1) of the Zoning Code to read "Accessory building and structures shall be set back not less than five (5) feet from the rear lot line **except as required by Section 521.07 of the Codified Ordinances.**" Currently, accessory structures are required to be setback a minimum of five feet from the rear property line. This modification allows fences to be erected on the rear property line and consistent with the requirements set forth in 521.07 of the Codified Ordinances.

*Alteration 2:* Amend the definition of "Fence" to include the word "**accessory**" in section 1133.02(81) of the Zoning Code. This amendment clarifies that fences are considered as an accessory structure and not a principal structure on a lot. Section 1133.02(81) would read "A free standing **accessory** structure over twelve (12) inches constructed of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. Fences shall be maintained in a neat and orderly manner and shall conform to the regulations of Section 521.07 of the Codified Ordinances."

*Alteration 3:* Add additional language to 1133.02(157) "Setback Line" to include "...**unless a principal structure has been erected. If a principal structure exists, the distance measured horizontally from the right-of-way line of the street to the principal structure becomes the required setback line.**" This language clarifies that the principal structure has set the setback line on a property. If the property is undeveloped, then the setback line would be distance listed in zoning code for that district.

**REQUESTED ACTION:**

It would be appreciated if you would provide a positive recommendation to Troy City Council.

# FROM DRAFT PC MINUTES – 1-13-2016

## ZONING CODE AMENDMENTS – TO CLARIFY THE INTENT AND PRACTICE REGARDING FENCES.

Staff presented a report that the City has treated fences as accessory structures since the last modification of the Fence Code in 2011 (and even before then); the Law Director has indicated that some sections in the code may be conflicting with the City's past interpretation and should be refined should the City desire to treat fences as accessory structures; to negate the conflict, staff proposed the following sections be amended, with the changes highlighted in red:

*Alteration 1:* Modify Section 1151.04(c)(1) of the Zoning Code to read "Accessory building and structures shall be set back not less than five (5) feet from the rear lot line **except as required by Section 521.07 of the Codified Ordinances.**" Currently, accessory structures are required to be setback a minimum of five feet from the rear property line. This modification allows fences to be erected on the rear property line and consistent with the requirements set forth in 521.07 of the Codified Ordinances.

*Alteration 2:* Amend the definition of "Fence" to include the word "**accessory**" in section 1133.02(81) of the Zoning Code. This amendment clarifies that fences are considered as an accessory structure and not a principal structure on a lot. Section 1133.02(81) would read "A free standing **accessory** structure over twelve (12) inches constructed of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. Fences shall be maintained in a neat and orderly manner and shall conform to the regulations of Section 521.07 of the Codified Ordinances."

*Alteration 3:* Add additional language to 1133.02(157) "Setback Line" to include "**...unless a principal structure has been erected. If a principal structure exists, the distance measured horizontally from the right-of-way line of the street to the principal structure becomes the required setback line.**" This language clarifies that the principal structure has set the setback line on a property. If the property is undeveloped, then the setback line would be distance listed in zoning code for that district."

Mr. Davis commented that fences could be built on the property line and if there was to be a fence on the adjacent property, that fence would have to be moved back 5'. Mr. Titterington clarified that the proposed amendments are not changing the rules but following the historic practice. Mr. McGarry stated a concern that some older properties may find the provisions difficult to follow, and staff noted that property owners could request a variance.

**PUBLIC HEARING.** A motion was made by Mr. Titterington, seconded by Mrs. Mahan, that the Planning Commission not hold a public hearing on the proposed zoning code amendments.

**MOTION PASSED, UNANIMOUS VOTE**

**AMENDMENTS.** A motion was made by Mr. Wolke, seconded by Mrs. Mahan, that the Planning Commission recommends to Troy City Council that the Zoning Code amendments, as presented by staff, and reviewed by the Planning Commission, be approved.

**MOTION PASSED, UNANIMOUS VOTE**

**ORDINANCE No.** O-16-2016

D:\L\B\A, Inc.

**ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
SERVICE AND SAFETY TO ENTER INTO A LEASE WITH  
THE COMMUNITY IMPROVEMENT CORPORATION OF  
TROY, OHIO, REGARDING THE LEASE OF THE MARINA  
BUILDING AND DECLARING AN EMERGENCY**

**WHEREAS**, by Ordinance No. O-43-73, Council designated the Community Improvement Corporation of Troy, Ohio (CIC) to perform economic development functions as provided by Ohio Constitution, Article VIII, Section 13; and

**WHEREAS**, the City of Troy and the Community Improvement Corporation of Troy, Ohio desire to enter into an agreement for the City property commonly known as the "Marina Building," which is located at Treasure Island Park, 439 North Elm Street, so that the Community Improvement Corporation of Troy, Ohio may then enter into a sublease with a tenant or tenants for said City property.

**BE IT ORDAINED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the Director of Public Service and Safety is hereby authorized to enter into a Marina Building Lease with the Community Improvement Corporation of Troy, Ohio, for the property known as the "Marina Building", with the Community Improvement Corporation of Troy, Ohio to pay the City the sum of \$1 per year for each year of said lease, plus any rents received from sub-lease(s).

**SECTION II:** That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that a tenant or tenants need to be selected for the Marina Building at the earliest possible date.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor





## ITEMS OF INTEREST

**TO:** Mayor Beamish  
Mrs. Baker, President of Council  
Council Members

**FROM:** Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in black ink, likely belonging to Patrick E. J. Titterington, the Director of Public Service and Safety.

**DATE:** March 18, 2016

We are providing the following for your information:

- Parking Control Office Leonard Ray Mullins has announced his resignation effective April 8, 2016. He started his position with the City in January, 2015.
- Firefighter Ronald D. Deaton has announced his retirement effective June 12, 2016. He was hired as firefighter with the City on June 4, 1995.
- Craig A. Allread has been appointed to the position of Firefighter Third Class - Step 1 with the City effective March 27, 2016.
- The Arbor Day Foundation has sent notification that the City of Troy is being recognized as a Tree City USA for the 30<sup>th</sup> consecutive year. The award will be presented at the Tree City USA awards banquet in West Carrollton on April 22. The Arbor Day Celebration in the City of Troy will be Friday, April 29 at 10:00 AM at Community Park. A tree will be planted in memory of Betty Reardon, a longtime member of the City Beautification Committee.
- Major Project Update:
  - Sidewalk Program 8 – the work has been completed. Council authorized the final assessment, and letters have been sent to property owners advising of those assessment amounts. The property owners have until April 15 to make payment in full; thereafter, the amounts will be certified to the County to be assessed over a five-year period.
  - Marina Building – interior work is progressing. The aerial walkway and exterior balcony work and structural steel installation are now underway.
  - Treasure Island Park – work continues to proceed for both the amphitheater and the shelter house and work is underway on the large entry sign by Elm St.
  - Streetscape (East Main Street between Walnut and Mulberry Streets) – sidewalk reconstruction and asphalt restriping has been completed. Traffic signal bases are set and the contractor is waiting delivery of the poles. Temporary lighting and trees have been installed.

- The Recreation Department reports that recent events at the Hobart Arena have been successful:
  - There were approximately 1,400 attendees at the Home Show over the three days March 4, 5, 6. The vendors were very pleased with the turnout and the 2017 show has been booked.
  - The March 11 Mirage, Visions of Fleetwood Mac Concert was a great show and there were approximately 850 in attendance.
  - The Jordan Circus was held on Tuesday, March 15. They always provide a quality show.
  - The March 17 Third Day Concert was sold out.
- The City of Troy will hold its annual “Spring Neighborhood Clean-up Week” April 11 through April 15, 2016. During this week only, residents will be permitted to exceed the standard five-bag limit for household refuse.
- Other information provided by City departments is attached.

**Upcoming Events at Hobart Arena**

April 23	Rend Collective, Family We Go Tour
April 28	Chamber Business Expo
May 24	Troy High School Senior Awards Assembly
May 26	Upper Valley Career Center Graduation
May 27	Miami East High School Graduation
May 28	Troy High School Graduation
May 29	Covington High School Graduation

**Calendar of Meetings**

March 21	7:00 p.m.	Council	City Hall Council Chambers
March 23	3:30 p.m.	Planning Commission	City Hall
April 4	7:00 p.m.	Council	City Hall Council Chambers
April 13	3:30 p.m.	Planning Commission	City Hall
April 18	7:00 p.m.	Council	City Hall Council Chambers
April 20	4:00 p.m.	Rec Board	Hobart Arena
April 27	3:30 p.m.	Planning Commission	City Hall

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads





**Operations**  
**Items of Interest**  
March 18, 2016

**Street/Solid Waste – Jerry Mullins, Foreman**

- Collected and transported 220 tons of residential trash.
- Collected brush and T-bags.
- Handled 2 recycling complaints and 3 trash complaints.
- Made 21 pothole repairs with cold mix and the new asphalt infrared recycling machine.
- Finished up our repairs and painting of over 250 wooden barricades.
- Cleaned and swept the square and downtown area.
- Cleaned and organized the public's dumping area at the Dye Mill Road Facility in preparation of opening on March 14, 2016.
- We are already seeing several piles of brush and yard waste that have been placed to the curb without being bundled, or placed in yard waste bags (T-bags). Letters will be sent to these addresses letting the resident know that their yard waste must become compliant in order for it to be collected.
- We began our road crack-sealing operations on the week of March 14, 2016.

**Electrical – Brian Ferree, Foreman**

- Completed Ohio Utilities Protection Service requests as needed.
- The department attended the Art of Communication training at City Hall.
- Installed three new pole mounted lights at Brukner Park.
- Installed a new photo-cell on the sign lights at Towne Park Drive.
- The traffic signals were removed at Mulberry St. and Race St. and at Mulberry St. and Simpson St.
- Installed a new photo-cell on the flag lights on the circle.
- Repaired a light on the levee.
- Installed two new LED lights at the Barn in the Park.
- Repaired a traffic light at East Main St. and Crawford St.
- Repaired several lights at the Wastewater Plant.

## **Water Distribution/Sewer Maintenance - Tom Parsons, Foreman**

- Marked numerous Ohio Utilities Protection Service tickets.
- Investigated numerous high consumption alerts.
- Completed numerous work orders for Billing and Collection.
- Shut-off non-payment customers and reconnected as payments were made.
- Installed a 6" Inserta-valve on Pennsylvania Ave.
- Upgraded water services at: 923 E. Franklin St., 1008 E. Franklin St. and 611 Summit Ave.
- Made a 6" tap for water line project on S. Madison St.
- Changed a 4" meter at 30 Troy Towne Dr.
- Abandoned old water service on McKaig Ave. at Ridge Ave. and E. Franklin St. at S. Walnut St.
- Repaired hydrant hit by auto at 818 N. Market St.
- Flushed lines on Madison St.
- Flushed lines at new Arc Abrasives and started bacteria testing.
- Passed the pressure test at new Arc Abrasives.
- Repaired an 8" sanitary sewer in the 500 block of S. Market St.
- Checked a sewer call at 2360 Murphy Lane West.
- Jetted and cleaned sewer line on W. Main St. from Monroe St. to the Public Square.
- Cleaned sewer hot spots.
- Cleaned the storm lift station on Staunton Rd.
- Jetted and cleaned catch basin and line on Meadow Lane at Maplewood Dr.
- Cleaned the storm drain at Staunton Commons.
- Vacuumed out floor drains and pits for the Fire Department.
- Vacuumed and helped to remove pedestrian poles at S. Mulberry St. and E. Race St. and at S. Mulberry St. and Simpson St.

## **Water Treatment Plant – Jeff Monce**

- The new Chemco lime slaker was delivered on March 14 and is being installed by the contractor. Installation will be completed within the next two weeks and start-up is expected to occur within the next month, pending Chemco field staff availability. The slaker contract provides for three days of start-up assistance to certify the installation and train plant staff on the new machine. This unit will replace a 26 year old lime mixer.
- Jeff Monce, Ralph Walters and Jason Tron attended the Annual Water Workshop in Columbus on March 8-9. This seminar updates Ohio waterworks personnel on new EPA regulations. Changes to current lead reporting requirements, bacteriological sampling programs and enhanced blue-green algae microcystin monitoring were important topics of this seminar.
- The submersible motor for Well 16 has been determined to be beyond repair and will be replaced. The motor was installed in 2001. Well 16 delivers 1.3 MGD and is located in the West Well Field behind the stadium.

- Reagent Technologies will begin removal of lime softening residuals from the east sludge lagoon on March 21. Work is expected to continue through April 21. This is performed at no cost to Troy as part of the Troy-Dayton Lime Agreement.
- Asst. Superintendent Ralph Walters has been completing the annual staff performance evaluations.
- Five WTP employees attended an excellent Safety Training program on distracted driving given by Kyle Weygandt on March 7 in Council chambers.
- Evaluation of 2015 water sampling results for the USEPA-mandated Consumer Confidence Report (CCR) has been initiated and this report will be ready for public distribution in June.

### **Wastewater Treatment Plant – Tim Snider**

- Staff continues to rehab UV modules in preparation for the 2016 disinfection season that begins on 5/1/16.
- Staff are prepping and painting the aeration tank blowers.
- Staff detected a faulty motor bearing on blower #2. It has been repaired and returned to service.
- Staff cleaned debris from pumps at the Dorset Rd. pump station.
- Staff continues to complete preventive maintenance work orders.
- Pre-construction meeting for the screw pump replacement project was held on 3/18.
- Assisted Sewer Maintenance Division in cleaning material from the wet well at the Staunton Rd. storm water pump station.
- February Operating Data

Average Daily Effluent Flow – 5.57 mgd

Average Daily Effluent TSS – 11.4 mg/l, NPDES permit limit 27 mg/l.  
Removal Efficiency – 91.4%

Average Daily Effluent C-BOD5 – 11.0 mg/l, NPDES permit limit 23 mg/l  
Removal Efficiency – 93.3%

**Items of Interest  
Engineering Department  
March 16, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
<b>PUBLIC WORKS PROJECTS</b>		
2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	ODOT will fund a portion of this project. LJ DeWeese Co., Inc. was awarded the project. Sidewalk reconstruction has been completed and asphalt restriping completed. Temporary lighting and trees have been installed. Awaiting updated shipping date from the manufacturer for the poles.
2014-16	Hobart Arena Renovation and Expansion	City entered into an agreement with MSA Architects for the design of this project. Contract has been executed with Monarch Construction, Inc. for the project. Soils preparation for concrete footers and pads is beginning. Every other week construction coordination meetings are occurring with the contractor and MSA.
2014-17	Marina & Boathouse Renovation	The contract was awarded to Bruns General Contracting. Interior work is progressing including the front entrance doors and tiling. Balcony/deck improvements have begun with structural steel installation ongoing, and the contractor is finalizing, cleaning and punch listing the interior. The remaining exterior work is anticipated to be completed by the end of April. Staff/contractor are working on the punch list for the exterior.
2014-18	Treasure Island Marina & Park Improvements	The City entered into a contract with Double Jay Construction The shelter house and amphitheater construction continues and work is underway on the large entry sign by Elm St.
2014-07	McKaig Road Improvements Phase 2	This phase includes work from Monroe Street to Madison Street (RR tracks). Retainage is being released and the project closed out.
2014-12	Extra High Service (EHS) Water Tower	Council authorized an agreement for the design of a new Extra High Service Water Tower with the firm of EMH&T. The bid opening for the Water Tower project will be held Wednesday, March 23.
2014-03	Water Regionalization Study	Council authorized a contract with RA Consultants. The City provided estimated hours for operations and administration necessary for West Milton and Miami County infrastructure. Staff continues to work with the consultant. Phase 2 of the regionalization, looking at the County as a retail customer, is being analyzed. A meeting was held on March 9. Awaiting County and West Milton response from the results meeting.
2015-05	Sewer Regionalization Study	Council authorized a contract with RA Consultants, LLC. The City provided estimated hours for operations and administration necessities for West Milton and Miami County infrastructure. Staff continues to work with the consultant. Phase 2 of the regionalization, looking at the County as a retail customer, is being analyzed. A meeting was held on March 9. Awaiting County and West Milton response from the results meeting.
2015-03	Washington Road Waterline	Staff entered into an agreement with Choice One Engineering Company for the design of a water loop along Washington Road from West Main Street to West Stanfield Road. Finrock Construction Co. was awarded the construction contract. Finrock began construction on the water main installation at West Stanfield heading north.

**Items of Interest  
Engineering Department  
March 16, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Easement requests are being coordinated with the property owners. Preliminary layout has been reviewed and the design continues. Bidding and construction is anticipated for summer of 2016.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. Staff has begun the environmental review and right-of-way acquisition with ODOT.
2015-29	West Market Street (SR 55) and Fenner Road Traffic Signal	Choice One Engineering Co. completed the design of the signal. The City received a \$125,000 grant from ODOT for the construction of the signal. Council authorized the bidding of this project in an amount not to exceed \$275,000. Bansal Construction, Inc. has been awarded the contract. Choice One is performing construction administration and periodic inspection of the construction contractor. A preconstruction meeting is being coordinated.
2014-08	McKaig Road Improvements Phase 3	This phase includes work from Madison Street (RR tracks) to the alley west of Lake Street (end of Heywood Elementary property). Council authorized an agreement with LJB, Inc. to design the project. Council authorized bidding McKaig 3 at a cost not to exceed \$1,500,000. The bid opening will be held on April 6.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Avenue. Council authorized an agreement with Choice One Engineering Corp. to design the project. Construction is anticipated to occur in 2017.
<b>ANNUAL PROJECTS</b>		
2014-21	Sidewalk Program 8	I.F. Weber has completed the project. Invoices have been sent to the property owners involved in this program; the property owners have until April 15 to pay the bills or they will be assessed to their property taxes for five (5) years.
	Sidewalk Program 2016	Sidewalk quantities were being obtained/measured for the 2016 sidewalk repair program. On March 7, Council authorized the Resolution of Necessity for the 2016 sidewalk program which is located in the following location: areas along South Plum, South Cherry, South Walnut and South Mulberry between Main and Franklin; South Market, South Walnut and South Mulberry between East Franklin and East Canal; and the area encompassed by South Market, East West, South Clay, Ross, and South Mulberry which include the following streets Young, Enyeart and Dakota. Packets explaining the City's sidewalk repair program are being prepared and to be sent out in the next week.
	Paving Program 2016	Streets to be paved are being coordinated with Vectren Bare Steel/Cast Iron replacement program, Water/Sewer/Storm necessary improvements, and the age of the existing street. Additional information will be forthcoming.



**Items of Interest  
Engineering Department  
March 16, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
96435	MIA - 55 - 11.83 Bridge Redecking North Market Street (PID 96435)	ODOT-Let and funded project. Project will begin construction in June 2016. The bridge will remain open but traffic will be modified with half of the bridge closed at a time. Resurfacing of North Market Street from Water Street to Staunton Road will be completed as part of the redecking project at an 80/20 cost split (ODOT/City). Council authorized the 20% estimated funding for the project to proceed.
	Engineering Electronic and Hard Copy File Organization	Staff has been working with an outside contractor to make the Engineering electronic/hard copy files organized in such a way that all staff can have access to most documents. This will improve efficiency with document filing and reduce the volume of space necessary. Staff re-implemented project numbers. Record drawings organization, personnel files clean-up, and project processes continue. P&Z files are also being organized. Project categorization and filing process is being finalized. Records retention and organization of the Zoning hard copy files are being analyzed and implemented.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Company to update the standards. A review meeting with Choice One is on March 21 to discuss mark-ups of draft standards.
	Sensus Analytics Controlled Launch	A kick-off meeting occurred, but Staff is awaiting water tower maintenance contract discussions prior to attaching to the tower. Contact has been made with Caldwell Tanks, the tank maintenance contractor, and they are reviewing the additional connection requests per contract requirements.
	Water Tower Tank Asset Preservation Program On-Going Maintenance	The City was approached by Caldwell Tank, Inc. to transfer the existing agreements to Utility Service Group. Council authorized the transfer of the agreements to the Utility Service Group.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren gas main work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested.
<b>SUBDIVISION PROJECTS</b>		
2012-08	Edgewater	Section 7 has obtained final course of asphalt, and escrow agreement will be held until final buildout of subdivision. The Section 8 Final Plat was approved by Council on March 7. Construction plan comments have been returned to the developer's design engineer, and staff is awaiting modifications.
2015-07	Halifax	Section 1 underground utilities installation and the initial course of asphalt have been installed. House construction has begun. Staff has been asked to look into lighting options.
2007-25	Hawk's Nest	Section 2 awaiting final course of asphalt. A punch list has been completed and forwarded to the developer.
2015-06	Nottingham	Section 7 final course of asphalt is completed. Section 8 construction has intermediate course complete and housing development will begin in the next month. Section 9 is approved. Staff has a preconstruction meeting with the developer and contractor in the next month.

**Items of Interest  
Engineering Department  
March 16, 2016**

<b>PROJ #</b>	<b>PROJECT TITLE</b>	<b>PROJECT STATUS</b>
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via special assessment process. Punch list has been created and forwarded to the developer in order to attempt to complete the subdivision. Staff has reached out to developer to encourage completion of development without assessment process.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via special assessment process. punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.
2013-19	Stonebridge Meadows	Section 2-B final course of asphalt has been completed. Section 3 construction has intermediate asphalt with final grading occurring for house pad elevations. Due to fill issues, the escrow agreement continues to be evaluated with the developer. The homebuilder, Ryan Homes, has contacted the City to remedy issues with the escrow agreement. Construction drive maintenance has been requested to the developer due to its impassable condition.
2016-02	Legacy Grove	A developer has approached staff about a Planned Unit Development (PUD) for a plat of land along McKaig Road east of Concord Elementary School. The proposal will be going to Planning Commission.



City of Troy

Development Department

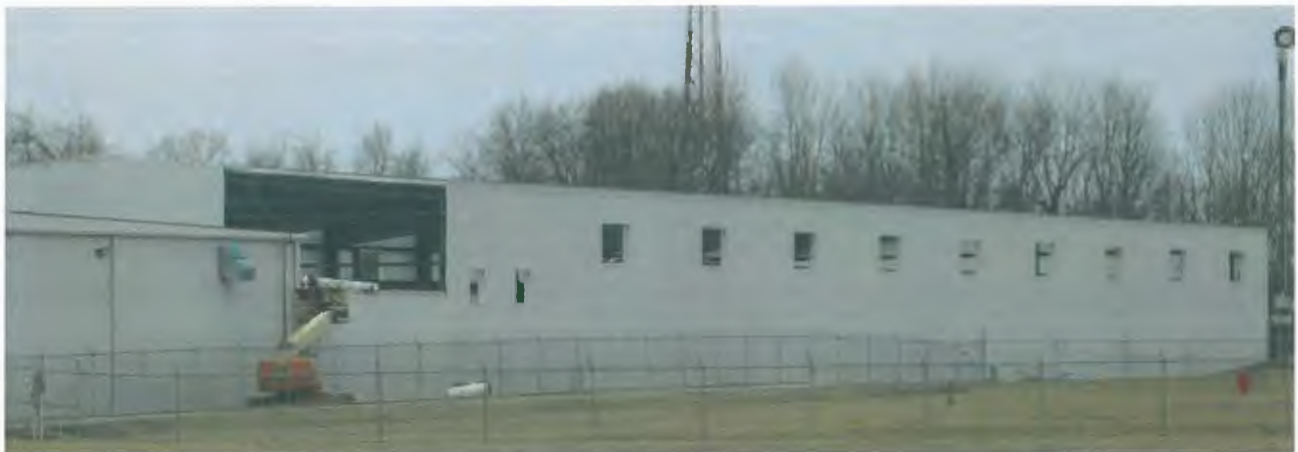
100 South Market Street  
Troy, Ohio 45373  
Telephone: (937) 339-9601  
[www.troyohio.gov](http://www.troyohio.gov)

Date: March 15, 2016  
To: Patrick Titterington, Director of Public Service and Safety  
From: Jim Dando, Development Director  
Subject: Items of Interest – SEGNA, Inc. Construction Project

SEGNA, Inc. is a growing machining/engineering company located at 1316 Barnhart Road. The Troy plant is part of Shiroshita Engineering Group, based in Nagoya, Japan. SEG and its global subsidiaries design robotic production machinery for the auto industry. SEGNA produces equipment for North American plants, including Honda and F&P here in Ohio.



SEGNA purchased Progressive Machine, Inc. in 2008 and immediately began expansion of the Barnhart Road facility to combine its Bethel Township operation with Progressive's machine-building business. The company also purchased an additional 12 acres of land extending along State Route 55, beside Andy's Garden Center. The current construction project on that extra land is adding 30,000 square feet of production space to the existing 18,600 square feet of combination design and machining area. The new area will accommodate 8 new machining cells, which will do production runs of some auto parts.



SEGNA is another important part of Troy's metal-working and advanced manufacturing industrial sectors.

## MEMO

To: Patrick Titterington, Director of Public Service and Safety

From: Tim Davis, Planning & Zoning Manager

Date: March 16, 2016

Subject: Planning Division Update

I have attached two reports which summarize concerns that are being addressed by the Planning Division from March 3, 2016 to March 16, 2016. The first report shows all permits that were issued by the Planning Division. The report contains the address and type of permit and separates the information by each ward. There were 31 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going issues. Both open and closed concerns are listed and are separated by each ward.

As in the past, all costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. If the property owner does not pay the invoice, the cost will be assessed to the property taxes.

CITY OF TROY - WARD ONE  
PERMIT REPORT  
03/03/2016 TO 03/16/2016

2016013F	3/11/2016	533 GLENDALE DR	FORCE, TOM	0	QUALITY LAWN, LANDSCAPE &
FENCE		D08038440	533 GLENDALE DR	10.00	1565 HUFFORD RD S
		N/A		LV	0 CASSTOWN, OH 45312
		FENCE - 3/9/16	TROY, OH 45373	NL	0 937-339-0269
		MEADOWLAWN 1		BA	0

2016020Z	3/15/2016	591 MAPLEWOOD DR	RIDDLE, TIM	0	DOWNING, TAB
DETACHED GARAGE		N/A	591 MAPLEWOOD DR	25.00	547 MAPLEWOOD DR
		N/A		LV	0 TROY, OH 45373
		DETACHED GARAGE - 3-4-16	TROY, OH 45373	NL	576 937-339-0614
				BA	0

2016019Z	3/10/2016	1214 MCGOVERN DR	FAIR, STEVEN & KARI	0	WAYMIRE BARNS
SHED		D08101376	1214 MCGOVERN DR	25.00	100 N BROAD ST
		N/A		LV	0 ROSSBURG, OH 45362
		SHED - 3/9/16	TROY, OH 45373	NL	96 937-338-6144
		NORTHBROOK 6		BA	0

2016012F	3/10/2016	1505 PARADISE TRAIL	CONDON, GARY	0	QUALITY LAWN, LANDSCAPE &
FENCE		D45-002362	1505 PARADISE TRAIL	10.00	1565 HUFFORD RD S
		N/A		LV	0 CASSTOWN, OH 45312
		FENCE	TROY, OH 45373	NL	0 937-339-0269
		HUNTERS RIDGE		BA	0

3028ST	3/15/2016	1068 WINDMILL CT	HARLOW BUILDERS INC	0	HARLOW BUILDERS
SEWER TAP - RES		N/A	701 N MARKET ST	1200.00	701 MARKET ST N
		10523		LV	2518 TROY, OH 45373
		5/8" SEWER TAP, RESIDENTIAL, 3/15/16	TROY, OH 45373	NL	3304 937-339-9944
		HALIFAX		BA	2518

1287WT	3/15/2016	1068 WINDMILL CT	HARLOW BUILDERS INC	0	HARLOW BUILDERS
WATER TAP-RES		N/A	701 N MARKET ST	2000.00	701 MARKET ST N
		10523		LV	2518 TROY, OH 45373
		3/4" WATER TAP, RESIDENTIAL, 3/15/16	TROY, OH 45373	NL	3304 937-339-9944
		HALIFAX		BA	2518



CITY OF TROY - WARD TWO  
PERMIT REPORT  
03/03/2016 TO 03/16/2016

1286WT	3/15/2016	910 ARROW DR	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
WATER TAP-RES		N/A	PO BOX 980	2000.00 PO BOX 980
		10531		LV 1873 TROY, OH 45373
		3/4" WATER TAP-RESIDENTIAL 3/14/16	TROY, OH 45373	NL 2398 937-332-8669
		NOTTINGHAM		BA 1873
		0/0/		

/

3027ST	3/15/2016	910 ARROW DR	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
SEWER TAP - RES		N/A	PO BOX 980	1200.00 PO BOX 980
		10531		LV 1873 TROY, OH 45373
		5/8" SEWER TAP-RESIDENTIAL 3/14/16	TROY, OH 45373	NL 2398 937-332-8669
		NOTTINGHAM		BA 1873
		0/0/		

/

20160100C	3/15/2016	500 ELM ST N	FERGUSON, DENNIS AND JOYCE	0
RETAIL		N/A	500 ELM ST N	50.00
		N/A		LV 0
		J&D BICYCLES, 500 N ELM ST, OC, 3/14/16	TROY, OH 45373	NL 0
		0/0/		BA 0

/

2016023S	3/16/2016	500 ELM ST N	FRANZER, MARY BETH	0
FREESTANDING SIGN		N/A	500 ELM ST N	91.17
		N/A		LV 0
		SIGN, J&D BICYCLES, 3/14/16	TROY, OH 45373	NL 0
		0/0/		BA 0

/

2016018Z	3/9/2016	874 GOVERNORS RD	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
SINGLE FAMILY W/BASMNT		N/A	PO BOX 980	91.47 PO BOX 980
		10548		LV 1775 TROY, OH 45373
		SGL FAMILY W/ BASEMENT 3/7/16	TROY, OH 45373	NL 597 937-332-8669
		NOTTINGHAM		BA 1775
		0/0/		

/

3026ST	3/7/2016	874 GOVERNORS RD	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
SEWER TAP - RES		N/A	PO BOX 980	1200.00 PO BOX 980
		10548		LV 1775 TROY, OH 45373
		5/8" SEWER TAP - RESIDENTIAL - 3/7/16	TROY, OH 45373	NL 597 937-332-8669
		NOTTINGHAM		BA 1775
		0/0/		

/

1285WT	3/7/2016	874 GOVERNORS RD	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
WATER TAP-RES		N/A	PO BOX 980	2000.00 PO BOX 980
		10548		LV 1775 TROY, OH 45373
		1" WATER TAP - RESIDENTIAL - 3/7/16	TROY, OH 45373	NL 597 937-332-8669
		NOTTINGHAM		BA 1775
		0/0/		

/

2016001T	3/11/2016	508 MAIN ST W	DUNAWAY, SANDY	0	CELINA TENT, INC.
COMMERCIAL		N/A	508 MAIN ST W	50.00	5373 SR 29
		N/A		LV	0 CELINA, OH 45822-9210
		DUNAWAY'S-TENT-UP 3/16-OWN 3/18/16	TROY, OH 45373	NL	0
		/		BA	0
		0/0/			

2016016S	3/4/2016	800 MAIN ST W	ZWEIBEL FAMILY LIMITED	0	
REFACE		N/A	2845 MCKAIG RD	25.00	
		N/A		LV	0
		COUNTERPARTS KIT. DESIGN-SIGN-3/3/16	TROY, OH 45373	NL	0
		/		BA	0
		0/0/			

CITY OF TROY - WARD THREE  
PERMIT REPORT  
03/03/2016 TO 03/16/2016

No permits were issued in Ward Three from 03/03/2016 TO 03/16/2016.

CITY OF TROY - WARD FOUR  
PERMIT REPORT  
03/03/2016 TO 03/16/2016

2016021S	3/10/2016	310 DORSET RD S	LIETTE, CHAD	0	
WALL SIGN		N/A	11747 FROST RD	29.00	
		N/A		LV	1000
		A+ TUTORING - SIGN - 3/8/16	TIPP CITY, OH 45373	NL	0
		N/A		BA	0
		/			
		0/0/			

2016009OC	3/10/2016	310 DORSET RD S	LIETTE, CHAD	0	
OFFICE		N/A	11747 FROST RD	50.00	
		N/A		LV	1000
		A+ TUTORING (OC) 3/8/16	TIPP CITY, OH 45373	NL	0
		N/A		BA	0
		/			
		0/0/			

2016018S	3/10/2016	1191 HORIZON WEST CT	FTECH NORTH AMERICA	0	SELECT SIGNS
FREESTANDING SIGN		N/A	1191 HORIZON CT	43.00	1508 E SECOND ST
		N/A		LV	0 DAYTON, OH 45403
		F-TECH - FREESTANDING SIGN - 3/7/16	TROY, OH 45373	NL	0 937-262-7095
		N/A		BA	0
		/			
		0/0/			

2016019S	3/10/2016	1191 HORIZON WEST CT	FTECH NORTH AMERICA	0	SELECT SIGNS
FREESTANDING SIGN		N/A	1191 HORIZON CT	41.00	1508 E SECOND ST
		N/A		LV	0 DAYTON, OH 45403
		F-TECH - FREESTANDING SIGN - 3/7/16	TROY, OH 45373	NL	0 937-262-7095
		N/A		BA	0
		0/0/			

2016020S 3/10/2016 1191 HORIZON WEST CT FTECH NORTH AMERICA 0 SELECT SIGNS  
 FREESTANDING SIGN N/A 1191 HORIZON CT 41.00 1508 E SECOND ST  
 N/A LV 0 DAYTON, OH 45403  
 F-TECH - FREESTANDING SIGN - 3/7/16 TROY, OH 45373 NL 0 937-262-7095  
 N/A 0/0/ BA 0

2016015S 3/3/2016 1191 HORIZON WEST CT FTECH NORTH AMERICA 0 QUINT CUSTOM SIGNS  
 WALL SIGN N/A 1191 HORIZON CT 115.78 427 N MAIN ST  
 N/A LV 0 PIQUA, OH 45356  
 F-TECH-SIGNS-3/1/16 TROY, OH 45373 NL 0 937-615-9332  
 N/A 0/0/ BA 0

2016011F 3/10/2016 1480 MC KAIG AVE KOEHLER, REBECCA 0 POTTER FENCE  
 FENCE N/A 1480 MCKAIG AVE 10.00 678 GINGHAMSBURG RD  
 N/A LV 0 TIPP CITY, OH 45371  
 FENCE - 3/9/16 TROY, OH 45373 NL 0 937-693-3623  
 N/A 0/0/ BA 0

2016015F 3/15/2016 2639 SHADY TREE DR DODD, DAVID 0 QUALITY LAWN, LANDSCAPE &  
 FENCE N/A 2639 SHADY TREE DR 10.00 1565 HUFFORD RD S  
 10461 LV 0 CASSTOWN, OH 45312  
 FENCE, 3/14/16 TROY, OH 45373 NL 0 937-339-0269  
 0/0/ BA 0

2016008OC 3/10/2016 1100 WAYNE ST PARK PLACE PROPERTIES LLC 0  
 OFFICE D08041705 251 MULBERRY ST S 50.00  
 N/A LV 0  
 OHIO WEDDING OFFICIANTS - OC - 3/4/16 TROY, OH 45373 NL 0  
 0/0/ BA 0

CITY OF TROY - WARD FIVE  
 PERMIT REPORT  
 03/03/2016 TO 03/16/2016

2016014F 3/15/2016 746 BRISTOL RD ALLEN, LETHA 0 QUALITY LAWN, LANDSCAPE &  
 FENCE D08042320 746 BRISTOL RD 10.00 1565 HUFFORD RD S  
 N/A LV 0 CASSTOWN, OH 45312  
 FENCE 3/11/16 TROY, OH 45373 NL 0 937-339-0269  
 WESTBROOK 5 0/0/ BA 0

2016010F	3/10/2016	1415 FLEET RD	POWERS, WILLIAM J.	0
FENCE		N/A	1415 FLEET RD	10.00
		N/A		LV 0
		FENCE - 3/7/16	TROY, OH 45373	NL 0
				BA 0
		0/0/		
/				
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2016007OC	3/4/2016	1490 MAIN ST W	TROJAN PLAZA INVESTORS	0
RETAIL		N/A	5800 MONROE ST	50.00
		N/A		LV 18158
		HABITAT RESTORE/OC/3-2-16	SYLVANIA, OH -	NL 0
				BA 0
		0/0/		
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2016017Z	3/3/2016	911 DEVON CIR	BOLTON, MICHAEL	0 DEAN BOWMAN CONSTRUCTION
ROOF OVER PORCH		N/A	911 DEVON CIR	25.00 504 CHILDRENS HOMES RD
		N/A		LV 0 TROY, OH 45373
		COVERED PORCH - 2/23/16	TROY, OH 45373	NL 320 937-339-7689
		N/A		BA 0
		0/0/		
/				
CITY OF TROY - WARD SIX				
PERMIT REPORT				
03/03/2016 TO 03/16/2016				
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2016022S	3/14/2016	1280 EXPERIMENT FARM RD	MINSTER BANK	0 KESSLER SIGN
FREESTANDING SIGN		N/A	95 W 4TH ST	41.00 5804 POE AVE
		5		LV 0 DAYTON, OH 45414
		MINSTER BANK, SIGN, 3/14/16	MINSTER, OH 45865	NL 0 937-898-0633
		GEM		BA 0
		0/0/		
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2016017S	3/8/2016	1901 MAIN ST W	NLDC, LLC	0 ATLANTIC SIGN
FREESTANDING SIGN		D08103428	1903 MAIN ST W	125.55 2328 FLORENCE AVE
		N/A		LV 0 CINCINNATI, OH 45206
		CIRCLE K / SIGN / 3-7-16	TROY, OH 45373	NL 0 513-241-6775
				BA 0
		0/0/		
/				
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2016009F	3/9/2016	2813 WAGON WHEEL WAY	REED, ERIC & CASEY	0
FENCE		D08102236	2813 WAGON WHEEL WAY	10.00
		N/A	1201 TODD LANE	LV 0
		FENCE - 3/7/16	TROY, OH 45373	NL 0
		CARRIAGE CROSSING 2		BA 0
		0/0/		
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CITY OF TROY  
 PERMIT WORK TYPE STATISTICS REPORT  
 PERMIT DATE: 03/03/2016 TO 03/16/2016

SUBTOTALS	PERMITS	FEE\$	EST. COST
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F FENCE	7	\$70.00	0
OC OFFICE	2	\$100.00	0
OC RETAIL	2	\$100.00	0
S FREESTANDING SIGN	6	\$382.72	0
S REFACE	1	\$25.00	0
S WALL SIGN	2	\$144.78	0
ST SEWER TAP - RES	3	\$3,600.00	0
T COMMERCIAL	1	\$50.00	0
WT WATER TAP-RES	3	\$6,000.00	0
Z DETACHED GARAGE	1	\$25.00	0
Z ROOF OVER PORCH	1	\$25.00	0
Z SHED	1	\$25.00	0
Z SINGLE FAMILY W/BASMNT	1	\$91.47	0
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GRAND TOTAL	31	\$10,638.97	



CITY OF TROY- WARD ONE  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

973 CRESTVIEW DR	BRUSH LETTER STONY RIDGE 2	03/07/16 20160236	03/07/16 WEBER, PAUL	07/05/16	
3-7-16 sb Brush in ROW. Certificate, follow up 3-15-16.					
598 FERNWOOD DR	TRASH & DEBRIS ARBAR ACRES 1	03/11/16 20160263	03/11/16 SIPE, KATY MARIE	07/09/16	
3-11-16 sb Backyard full of trash. Certificate, follow up 3-16-16					
1311 IMPERIAL CT	TRASH & DEBRIS N/A	03/11/16 20160264	03/11/16 FLYNN REALTY	07/09/16	
3-11-16 sb Pile of furniture up by the apartment building. Certified and certificate, follow up 3-18-16.					
3-15-16 sb Sarah from Prodigy Properties tel. 513-841-7010. This was an eviction and has been cleaned up.					
1335 IMPERIAL CT	TRASH & DEBRIS N/A	03/11/16 20160265	03/11/16 LAND, BRUCE	07/09/16	
3-11-16 sb Furniture sitting beside dumpster. Certificate, follow up 3-15-16.					
675 OHIO AVE	TRASH & DEBRIS ARBAR ACRES 1	03/03/16 20160215	03/03/16 EDWARDS, STACY	07/01/16	03/11/16
3-3-16 sb Trash in the ROW. Given by Jerry. Certified, follow up 3-11-16.					
3-9-16 sb Stacy Edwards tel. She said the trash was gone because the trash truck picked it up. I tel. Jerry Mullins to let him know.					
3-10-16 sb Trash is gone. Close.					
3-10-16 sb Spoke with Jerry. He talked to his guys and they did not pick up trash.					
559 STONYRIDGE AVE	TRASH & DEBRIS N/A	03/07/16 20160235	03/07/16 JENS LLC	07/05/16	
3-7-16 sb Cleanout. Certified, follow up 3-15-16.					

CITY OF TROY- WARD TWO  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

201 ASH ST	FENCE PROBLEMS	03/03/16 20160214	FRAZIER, PEGGY		
3-3-16 sb The fence is broke and in disrepair and needs fixed. Friendly letter sent, follow up 5-13-16.					
3-8-16 sb Peggy Frazier tel. Told her what ever is leaning and has broken boards needs to be repaired. She will take the left side of the gate and the first panel down. She said that when the police removed the car from the backyard, they damaged the right side gate. I told her she would need to talk to the PD about that. Gave her until 8-31-16.					
837 FOUNTAIN ST	TRASH & DEBRIS	03/14/16 20160276	03/14/16 BUTCHER, ELMER	07/12/16	
3-14-16 dp Loose trash in the yard between the garage and alley. Mr Butcher passed last year but the water/trash bill is still active. Certificate letter follow up 3-19-16.					
620 MAIN ST E	TRASH & DEBRIS	03/03/16 20160218	03/03/16 BROWN, JUSTIN A	07/01/16	03/14/16
3-3-16 dp During routine inspections I noticed a fair amount of cardboard in the ROW. This appears to have been out for recycling and was not taken because it was not broken down and placed in the supplied container. Certificate letter follow up 3-9-16.					
3-9-16 dp Trash remains and this is not a previous infractor sent a 48-hr follow up 3-14-16.					
3-14-16 dp Cardboard trash remains send to OZ close.					

460 KIRK LN	BRUSH LETTER	03/03/16 20160216	03/03/16 CHEN, XIAO	07/01/16 DEBRIS REMOVED	03/11/16
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3-3-16 sb Large pile of brush and leaves in ROW. Certificate, follow up 3-11-16.  
3-11-16 sb Debris removed. Close.

CITY OF TROY- WARD TREE  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

912 CANAL ST E	TRASH & DEBRIS	03/08/16 20160239	03/08/16 SLACK, CHARLES	07/06/16	
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3-8-16 dp Complaint received through the Safety and Service Director's clerk. A complaint of trash in the rear yard off the alley certificate letter follow up 3-14-16.  
3-14-16 dp Debris remains 48-hr follow up 3-18-16.

309 CHERRY ST S	TRASH & DEBRIS	03/11/16 20160261	03/11/16 SHOEMAKER, CAROL	07/09/16	
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3-11-16 sb Trash by the alley. Certificate, follow up 3-15-16.

310 CHERRY ST S	TRASH & DEBRIS	03/11/16 20160259	03/11/16 LIETTE, EDWIN	07/09/16	
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3-11-16 sb Trash all over the property. Certified and certificate, follow up 3-18-16.

310 CHERRY ST S	PROPERTY MAINTENANCE	03/11/16 20160260	03/11/16 LIETTE, EDWIN	07/09/16	
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3-11-16 sb House has been condemned by the County. Open 2nd floor window, repair the siding, paint the trim, paint the foundation, repair the gutters, repair the front steps. Friendly letter. Follow up 5-13-16.

1206 CLAY ST S	TRASH & DEBRIS N/A	03/04/16 20160223	03/04/16 OSTING, NORMANE E	07/02/16	
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3-4-16 dp I received a neighbor complaint regarding another property in this vicinity and saw this violation. Tree debris, tire/wheel and various wood materials in the rear yard off the alley. Certified with cc to tenant follow up 3-9-16.  
3-8-16 dp I received a call from Karen Osting, Owner, she and her husband are out of town for another couple of weeks. I agreed to allow the time as this is not impeding or unsightly and can wait. They have no one in the city to assist them while away. Follow up 3-25-16.

504 COUNTS ST S	TRASH & DEBRIS	03/10/16 20160256	03/10/16 MILLER, EARL	07/08/16	
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3-10-16 dp During routine inspections I noticed some cardboard and broken chip boards leaned against the detached garage. Certified letter with cc to tenant follow up 3-16-16.  
3-15-16 dp Green card back dated 3-12-16 follow up 3-16-16.

139 DAKOTA ST W	PROPERTY MAINTENANCE	03/09/16 20160251	03/09/16 MCCARTYVILLE PROPERTIES LL	07/07/16	
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3-9-16 dp Neighbor complaint of a fence that has fallen down. Upon inspection, I found 2 sections of a 6' wood privacy fence has fallen down. Certified letter to property owner, this is a rental. Follow up 4-11-16.

807 DRURY LN	TRASH & DEBRIS	03/11/16 20160267	03/11/16 TUBBS, RICHARD	07/09/16	
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3-11-16 sb Mattresses and trash on the back porch. Certificate, follow up 3-17-16

1102 FRANKLIN ST E	TRASH & DEBRIS N/A	03/03/16 20160219	03/03/16 HALE, JACQUELINE M	07/01/16 TRASH REMOVED	03/09/16
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3-3-16 dp During routine inspections I noticed some cardboard boxes in the ROW. They appear as though they were out for recycling but were not broken down and placed in the provided container. Certificate letter, follow up 3-9-16.  
3-9-16 dp Trash gone close.

348 GARFIELD AVE	PROPERTY MAINTENANCE	03/11/16		07/09/16	
	N/A	20160266	BUCKEYE PROPERTIES		
3-11-16 sb Prop Maintenance. Garage: repair fascia, paint. House: Repair hole in roof, paint trim, repair fascia. Friendly letter. Follow up 5-13-16.					
224 PLUM ST S	PROPERTY MAINTENANCE	03/03/16			
		20160212	HOLT, DANIEL		
3-3-16 sb Trim of house needs painted. Friendly letter. Follow up 5-13-16.					
818 RACE DR	TRASH & DEBRIS	03/10/16	03/10/16	07/08/16	
	N/A	20160255	PIERCE BUSINESS PROPERTIES		
3-10-16 dp Richard Pierce, owner, asked for me to insspect and send this letter as his tenants do not heed his word. certificate letter with cc to tenant follow up 3-16-16. 3-15-16 dp Tenants asked for a couple extra days as they have had a death in the family, I agreed to wait and follow up 3-21-16.					
19 RACE ST W	PROPERTY MAINTENANCE	03/03/16			
		20160211	LAND, BRUCE & CHERIE		
3-3-16 sb Friendly letter. Repair wall of garage facing alley, paint trim on porch and house. Follow up 5-13-16.					
19 RACE ST W	TRASH & DEBRIS	03/03/16	03/03/16	07/01/16	03/10/16
		20160210	LAND, BRUCE & CHERIE	TRASH REMOVED	
3-3-16 sb Trash by garage, old freezer on back porch. Certificate, follow up 3-10-16. 3-10-16 sb Trash gone. Close.					
108 RACE ST W	BRUSH LETTER	03/11/16	03/11/16	07/09/16	
	N/A	20160262	MOBERLY, RONALD		
3-11-16 sb Pile of leaves in street. Certificate, follow up 3-16-16.					
327 SHORT ST S	PROPERTY MAINTENANCE	03/03/16			
		20160213	HAREN, PATRICK & PATRICIA		
3-3-16 sb The house and garage have peeling paint. Friendly letter. Follow up 5-13-16.					
1006 WALNUT ST S	TRASH & DEBRIS	03/15/16	03/15/16	07/13/16	
		20160284	POTTER, ISAAC		
3-15-16 dp While on a complaint at 1008 S Walnut St. (with T. Tyson from Miami county health) I noticed some trash and debris at this location. Certified letter with cc to tenant follow up 03-21-16.					
113 YOUNG ST	TRASH & DEBRIS	03/10/16	03/10/16	07/08/16	
	N/A	20160254	CHANDLER, HOMER CHARLES		
3-10-16 dp During routine inspections I noticed what appears to be some construction debris in the curb lawn. Certifiante to owner and there is no tenant follow up 3-16-16.					

CITY OF TROY- WARD FOUR  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

502 ARMAND DR	TRASH & DEBRIS	03/03/16	03/03/16	07/01/16	03/11/16
	OAKMONT CREEK 3	20160217	CAMM, KAREN	TRASH REMOVED	
3-3-16 sb Cleanout. Certificate, follow up 3-11-16. 3-11-16 sb Trash gone. Close.					
225 MARKET ST W	PROPERTY MAINTENANCE	03/08/16			
	N/A	20160238	BAUGHER, LARRY		
1-7-16 sb The trim of the house needs painted. Follow up 5-13-16.					

408 MARKET ST W	PROPERTY MAINTENANCE N/A	03/04/16 20160224	03/04/16 MADER, STEVEN M	07/02/16	
3-4-16 dp This location has a roof over the front porch that is deteriorated and in need of replacement. Certificate letter follow up 4-5-16.					
1375 MARKET ST W	TRASH & DEBRIS N/A	03/08/16 20160237	03/08/16 BHAVANI, KESHAV LLC	07/06/16	03/14/16
3-7-16 dp During routine inspections I noticed furniture from motel rooms laying around the dumpster. Certificate letter follow up 3-13-16.					
3-14-16 dp Trash removed close.					

CITY OF TROY- WARD FIVE  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

1431 MAIN ST W	BRUSH LETTER	03/04/16 20160222	03/04/16 CHURCH OF THE BRETHREN	07/02/16	03/08/16
3-4-16 dp During routine inspections I noticed a large pile of brush on the Croydon side of this location, certificate letters follow up 3-9-16.					
3-8-16 dp I received a voice message from secretary Becky Chaney and this debris was from a neighbors tree that had fallen and the tree crew forgot to remove this. I spoke with Jay Shields of Sheilds Lawn Tamers and he said he would have his crews remove this debris. Close.					
1460 MAIN ST W	SIGN VIOLATIONS	03/11/16 20160269	03/11/16 DW28 TROY OHIO LLC	07/09/16	
3-11-16 sb Sign installed. No sign or occupancy permit. Remove sign by 3-25-16.					
1460 MAIN ST W	NO OCCUPANCY PERMIT	03/11/16 20160268	03/11/16 DW28 TROY OHIO LLC	06/01/16	
3-11-16 sb Business has installed a sign. There is no occupancy or sign permit. Violation letter. Certified, follow up 4-13-16.					
915 MC KAIG AVE	TRASH & DEBRIS N/A	03/15/16 20160285	03/15/16 DOSECK, JACK	07/13/16	
3-15-16 sb Trash behind the shed. Certificate, follow up 3-21-16.					
1479 SURREY RD	BRUSH LETTER N/A	03/14/16 20160277	03/14/16 VONDERAHE, JERALD	07/12/16	
3-14-16 dp During routine inspections, I noticed a pile of brush unbundled or unbagged in the street in front of this location. Certified letter with cc to tenant follow up 3-18-16.					

CITY OF TROY- WARD SIX  
VIOLATIONS BY ADDRESS  
03/03/2016 TO 03/16/2016

0 EXPERIMENT FARM RD	TRASH & DEBRIS N/A	03/04/16 20160226	03/04/16 RANDER ENTERPRISE LLC	07/02/16	
3-4-16 dp Complaint of trash on this vacant lot and the lot to the north. Certified letter follow up 3-9-16.					
1 EXPERIMENT FARM RD	TRASH & DEBRIS N/A	03/04/16 20160227	03/04/16 CFM LAND INVESTMENT LLC	07/02/16	03/14/16
3-4-16 dp Complaint of trash about this vacant area and the lot to the south. Certified letter follow up 3-9-16.					
3-9-16 dp Green card back dated 3-7-16. I did receive a call 3-7-16 from this owner and I returned the call and explained that there was not a huge amount of trash but the area needed to be policed for trash. Follow up 3-11-16.					
3-14-16 dp trash gone close.					

## High Usage Alert Records

Address	24 Hr. usage Cu Ft.	Shut Off: Yes - No	Date	Reconnect: Yes - No - Cause
Denby	400	No	March 2, 2016	Left blue card B&C to call
Raper	300	No	March 3, 2016	No toilet running
Skylark	600	No	March 3, 2016	No toilet running
W. Main	500	No	March 3, 2016	No toilet running
Fairview Ct.	300	No	March 3, 2016	No toilet running
Dye Mill Rd.	500	No	March 8, 2016	No toilet running
E. Canal	300	No	March 9, 2016	No B&C to call
E. Canal	300	No	March 9, 2016	No notified maintenance
Patterson Ln. E.	300	No	March 10, 2016	No B&C to call
Cloverdale	300	No	March 14, 2016	No toilet running
Renwick Way	300	No	March 14, 2016	No sink left on
W. Main	400	No	March 14, 2016	No left blue B&C to call
Cayenne	400	No	March 14, 2016	No toilet running
W. Main	400	No	March 14, 2016	No left blue B&C to call
Marybill	300	No	March 15, 2016	No left blue B&C to call
Renwick Way	300	No	March 15, 2016	No advised resident